

**TENNESSEE WILDERNESS ACT OF 1986 AND THE
SIPSEY WILD AND SCENIC RIVER AND SIPSEY
WILDERNESS ADDITION ACT OF 1986**

HEARING

BEFORE THE

**SUBCOMMITTEE ON AGRICULTURAL RESEARCH,
CONSERVATION, FORESTRY,
AND GENERAL LEGISLATION**

OF THE

**COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
UNITED STATES SENATE**

NINETY-NINTH CONGRESS

SECOND SESSION

ON

S. 2685 and S. 2782

SEPTEMBER 25, 1986

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TENNESSEE WILDERNESS ACT OF 1986 AND THE SIPSEY WILD AND SCENIC RIVER AND SIPSEY WILDERNESS ADDITION ACT OF 1986

THURSDAY, SEPTEMBER 25, 1986

U.S. SENATE, SUBCOMMITTEE ON AGRICULTURAL RE-
SEARCH, CONSERVATION, FORESTRY, AND GENERAL LEG-
ISLATION OF THE COMMITTEE ON AGRICULTURE, NUTRI-
TION, AND FORESTRY,

Washington, DC.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 332, Russell Senate Office Building, Hon. Howell T. Heflin presiding.

Present: Senators McConnell, Heflin, and Zorinsky.

STATEMENT OF HON. HOWELL HEFLIN, A U.S. SENATOR FROM ALABAMA

Senator HEFLIN. We will call this hearing to order.

This hearing of the Subcommittee on Agricultural Research, Conservation, Forestry, and General Legislation will come to order for the purpose of hearing the testimony on two wilderness bills: Senate bill 2685, the Tennessee Wilderness Act of 1986, and Senate bill 2782, the Sipsey Wild and Scenic River and Sipsey Wilderness Addition Act of 1986.¹

The subcommittee is supposed to receive the testimony on the Tennessee Wilderness Act first according to the schedule I have, but I do not see Senator Gore or Senator Sasser here, they were going to be the witnesses, so I suppose that whenever they come we will interrupt the Sipsey and go to the Tennessee Wilderness Act which I understand the hearing will not take a very long time.

I am delighted to welcome the ladies and gentlemen of the press, particularly the Alabama press. This is the Agriculture hearing room. Some of you have never been here and never have seen it before, but it is different from the other hearing rooms that we have and we are delighted to make you acquainted with it. We hope that you will come back and cover something dealing with Alabama agriculture sometime in the future.

But the Sipsey Wilderness, we will proceed into that hearing. The Bankhead National Forest consists of nearly 180,000 acres and it is located in the Alabama counties of Winston, Lawrence, and Franklin. By act of the full Congress, there was established within this National Forest area a wilderness known as the Sipsey Wilder-

¹ See pp. 52-69 for a reprint of S. 2685 and S. 2782.

ness. This existing wilderness consists of some 12,500 acres and is truly a majestic setting.

The Sipsey expansion legislation would add approximately 10,100 acres under the bill that I have introduced to this existing wilderness. I believe this wilderness fully meets the U.S. Forestry Service expected demand for wilderness in the State of Alabama and is consistent with the U.S. Forest Service plan which recommended some 10,260 acres.

The acreage contained in this legislation was drawn from a tentative compromise which was discussed by some of the interested parties in Alabama over a year ago. In addition, the legislation would designate some 9,500 acres of the heavily forested river canyons in Bankhead National Forest as a part of the National Wild and Scenic River system, which really is almost equivalent to the wilderness management idea.

Early on in the discussion of wilderness expansions, there were concerns raised about the need to prevent possible contamination of the Sipsey River since it fed water supplies into Smith Lake and from Smith Lake into the city of Birmingham.

The legislation addresses this concern by directing the Secretary of Agriculture to install procedures and mechanisms to acquire additional water quality information to monitor the water flowing toward and into the Smith Lake. I might say that it would not be in the wilderness area where any monitoring would go on, it would be at the southernmost part of the Wild and Scenic River designated area, the way that it is written in that language.

Other issues that were discussed in connection with the expansion of the Sipsey Wilderness are also addressed in this legislation. Much concern was raised regarding the spread of the southern pine beetle within the wilderness area. The southern pine beetle situation in Alabama is in a rough situation and many feel that it has reached epidemic proportions.

According to the Forest Service's publication, known as Highlights, entitled as the Southwide Suppression Program for the southern pine beetle, which was released in July of this year, the pine beetle is responsible for the loss of 250,000 acres of forest in Alabama, Arkansas, Louisiana, and Mississippi since 1982.

The report estimates that over 45,000 pine beetle infestations have occurred in the Southern United States from October 1984 through September 1985. Alabama has reported over 1,700 infestations during this same time. This report also clearly specifies that beetle spots have also been reported in the Sipsey Wilderness on the Bankhead National Forest. Over 25 acres were already infested as of October 1, 1985.

This legislation gives authority to the U.S. Forest Service to take the necessary measures to control the spread of this pest. Alabama has already lost thousands of acres of prime forest land to the pine beetle, and if such steps are not taken, the pristine wilderness areas, as they currently exist, could be lost forever.

I personally feel that this provision is necessary if Alabama is to have expanded wilderness acreage. I do not believe the people of Alabama want legislation which will ensure that the pine beetle can roam totally uncontrolled over the Sipsey Wilderness area and adjacent lands.

Let me just say that I am not going to be responsible for congressionally mandated 10,000 acre or additional acreage to that southern pine beetle refuge, so the infamous critter can freely go about destroying the natural treasures that we are seeking to preserve in this legislation.

There are several other issues that were addressed in this legislation, but I am sure that this hearing will allow the opportunity for further discussion of these specific items.

I had hoped to have had a complete agreement on this proposed legislation before it was introduced; however, there are still a great number of differences.

Hopefully, this hearing will provide a forum where agreements can be reached on the resolved issues. Although some individuals have labeled me as an obstructionist on this Sipsey Wilderness expansion process, let me make it perfectly clear that I support the wilderness concept and am happy to start the ball rolling on these hearings.

Let me also say that as I see it, there are several issues of controversy. One, of course, is the amount of acreage; two is the pine beetle; three is the water control and quality; four is the lake involved—and, by the way, the lake is not anywhere in the wilderness or in the wild and scenic areas.

Then, fifth is roads which are placed in there, and as I understand it, under the original Flippo bill that was passed in the House several years ago, there were provisions pertaining to roads being kept open. Now, I just mention that.

I see that Senator Sasser has arrived and we will go to the Tennessee Wilderness, but let me say this, that while we are talking about Tennessee and other times, not just necessarily now, but the fact that we all have people now from different viewpoints that are together.

Mr. Bill Bustin is here who represents the Alabama Forestry Association. He is a former forester with the U.S. Forest Service. I think he is here and a great number of the environmental groups. I hope that this would provide an opportunity for you all to get together and discuss these matters and see if we cannot reach some sort of an agreement on it. My bottom line is that I am not going to support a wilderness bill unless it has provisions in it dealing with the southern pine beetle, dealing with it on the basis of authorizing clearly the Forest Service to take actions to minimize and to take reasonable steps to try to eradicate it in the existing Sipsey Wilderness and any expansion on it.

Now, that is sort of my bottom line as I approached this matter. I hope that we will find an opportunity today, either while we are discussing the Tennessee Wilderness legislation or at other times, to get everybody together—they are here—and hopefully to try to work out this problem that we have.

With that, that is going to end up my opening statements, and now we will turn to the Tennessee Wilderness Act.

Senator Sasser is here to testify and we would be delighted to hear from you now.

STATEMENT OF HON. JAMES R. SASSER, A U.S. SENATOR FROM
TENNESSEE

Senator SASSER. Thank you very much, Senator Heflin, and I want to express my appreciation to you for allowing me to testify this morning on S. 2685, the Tennessee Wilderness Act of 1986.

This bill designates 33,735 acres of the Cherokee National Forest in Tennessee as wilderness. I introduced this bill along with my colleague, Senator Gore, in July of this year, and our bill is identical to the Cherokee Wilderness measure introduced in the House by my distinguished colleagues, Congressman Jimmy Quillen and Congressman John Duncan. I am pleased that the House has passed this legislation and I hope that we can soon follow suit here in the Senate.

The Tennessee Wilderness Act of 1986 is a consensus bill, I would submit, Mr. Chairman. It ratifies the wilderness recommendations made by the Forest Service in the final management plan for the Cherokee National Forest. It reflects years of hard work and dedication by many Tennesseans who care deeply about the use and future of their national forests.

It reflects tremendous effort on the part of the Forest Service. Indeed, the Forest Service in my judgment is to be commended for developing such successful recommendations.

This bill will add six outstanding natural areas to the National Wilderness Preservation System. It will double the amount of wilderness in the Cherokee National Forest. The bill will provide the northern portion of the Cherokee with its first designated wilderness area. The preservation of these roadless lands will protect the natural heritage of this country.

It will allow wildlife and plant species that are dependent on an undisturbed habitat the wilderness they require to thrive. It ensures that those looking for recreational solitude will have these wild areas to turn to. And, Mr. Chairman, as we approach these hectic closing days of this session of the Senate, the idea of wilderness solitude becomes more and more appealing.

This is particularly important, I think, in light of the final plan's findings that existing wilderness areas in the southern Appalachian region are at or above their recreation-use capacity already.

Now, Mr. Chairman, I have noted that many Tennesseans have been actively involved in this effort, and I would like to ask permission to include in the hearing record testimony submitted by Mr. Will Skelton of the Tennessee chapter of the Sierra Club.¹ Mr. Skelton's testimony provides excellent and detailed descriptions of the six areas that are covered by this legislation.

The House Interior Committee, during its mark up of this bill, made a technical change to the bill that I would suggest be made by this committee as well. To conform with other wilderness bills, language on management of the Appalachian Trail was deleted, and substituted by report language. The report language provides for the continued maintenance of the trail and the existing shelters.

¹ See p. 36 for the statement of Mr. Skelton.

In addition, the House included report language on two matters of importance to east Tennesseans; one concerning a proposed road between the communities of Butler and Blue Spring, and the other concerning a possible land transfer between the Forest Service and Unicoi County. I would suggest that the committee include the same report language for this bill.

The bill also conforms with other wilderness bills in containing standard release language. This language releases nonwilderness areas from further wilderness consideration for the life of the initial forest plan. It therefore permits multiple-use management of these lands, and assures the availability of adequate timber supplies for local industry. However, it also permits consideration of wilderness designation in future planning cycles. This leaves the option of future wilderness designations available to future generations.

Enactment of this bill will lay to rest an important component of the Cherokee final plan. By resolving the wilderness debate, we will provide a clearer path to resolution of the other issues at stake in the Cherokee Forest planning process. We will also provide the logical conclusion to the Cherokee wilderness debate begun by myself and our former distinguished majority leader, my friend, Senator Baker. I know that Senator Baker will be pleased to see this legislation complement our joint efforts in the Tennessee Wilderness Act of 1984.

In closing, Mr. Chairman, I urge the committee to act as expeditiously as possible on this legislation. Senate action on this measure in the 99th Congress will preserve our wilderness not only for our generation, but for the generations of Americans yet to come.

Again, I thank you, Mr. Chairman, for allowing me to appear this morning and testify before this committee.

Senator McCONNELL. Mr. Chairman, if I may, I would just like to put an opening statement in the record.¹ I have to offer an amendment over on the floor to a bill that is about to come up.

Senator HEFLIN. We are delighted to see you.

Senator McCONNELL. Thank you.

Senator HEFLIN. I would let you chair it.

Senator McCONNELL. No, that is all right.

Senator HEFLIN. There is supposed to be a Republican up here chairing this thing.

Senator McCONNELL. I think you are doing a fine job.

Senator SASSER. So do I, Mr. Chairman.

Senator HEFLIN. Senator Sasser, do you know, are there other Tennesseans here that want to testify on this? You might want to tell us who they are.

Senator SASSER. It is my impression that Senator Gore was going to attempt to be here this morning. He may have been delayed. Is he on his way? We think Senator Gore is on his way.

Senator HEFLIN. If he fails to get here, are there statements that you would want tentatively introduced into the record, like Senator Gore and anybody else, that you want to put into the record?

¹ See p. 33 for the prepared statement of Senator McConnell.

Senator SASSER. I assume that if Senator Gore does not make it—and I suspect he will—that he would want his statement included in the record as if read. We have already asked for Mr. Skelton's statement to be included in the record.

Senator HEFLIN. My understanding is that it would be kept open for 10 days for any other statements that would appear. That is the standard rule. You may want to move it faster if you can.

Senator SASSER. Well, I think we would like to move it faster, because we may not be here in 10 days.

Senator HEFLIN. Yes, I know. There is no opposition to your proposal anyway.

Senator SASSER. No, none to my knowledge. It is a bipartisan measure. It passed in the House and I see no reason why it could not pass here.

Senator HEFLIN. I am delighted to see all the Tennesseans get together.

Senator SASSER. Well, we get together quite often.

Senator HEFLIN. I hope that somehow or another that spirit crosses the southern border of Tennessee and comes to Alabama.

Senator SASSER. All right. Thank you, Mr. Chairman.

Senator HEFLIN. I reckon that in 10 days, but any statements that want to be——

Senator SASSER. It would be my view that two days would be sufficient.

Senator HEFLIN. All right. Let's do it that way, then.

Senator SASSER. Thank you.

Senator HEFLIN. We will go back now to the Sipsey Wilderness thing. We will go ahead. The next witness as I see on this list, that has been given to me, that I have not had anything to do with the order of it, is William Bustin. All right. For the Tennessee and Alabama both, as I understand it, Dale Robertson, Deputy Chief, Forest Service, U.S. Department of Agriculture.

Mr. Robertson, you can testify about both of them?

Mr. ROBERTSON. Yes, I can.

Senator HEFLIN. All right, sir. Fine.

Mr. ROBERTSON. Mr. Chairman, I appreciate this opportunity to present our views on the Alabama and Tennessee Wilderness.

Senator HEFLIN. If you do not mind, let me interrupt you right now. I see Senator Gore is coming in, and he has, I know, four other things to do in the next 10 minutes. So if you do not mind, we will let Senator Gore go ahead and testify.

STATEMENT OF HON. ALBERT GORE, JR., A U.S. SENATOR FROM TENNESSEE

Senator GORE. Thank you, Mr. Chairman, and I appreciate your courtesy in allowing me to just step in here and testify on this bill. Thank you very much.

Senator Sasser, who has just testified, and I joined in introducing this legislation on July 24th, and it is a companion bill to H.R. 5166, that is sponsored by Representatives James Quillen and John Duncan. The House passed that bill earlier this week and we are very optimistic that the Senate will pass the same bill here in this

session. It has very, very wide support, and I commend it for your approval, Mr. Chairman.

It adds 33,735 acres of the scenic Cherokee National Forest to the National Wilderness Preservation System. It will double the amount of wilderness in the national forest to nearly 67,000 acres, or about 11 percent of the forest's total area.

These lands are extremely beautiful. I have seen them myself. They provide outstanding opportunities for solitude and recreation in a beautiful natural setting, and you above all, Mr. Chairman, are very familiar with how important that is. Our parts of the country are very similar. Such vast roadless areas are exceedingly rare in the southeastern United States, and we need to preserve them for use today, as well as for future generations.

We have heard a lot recently about ecological diversity. Well, this area provides it, and it becomes increasingly important as habitats in the surrounding areas are destroyed by development.

The areas in this legislation were all recommended for wilderness status in the Forest Service's management plan. The recommendations have the broad support of a wide spectrum of environmental and conservation groups in Tennessee. The wildlife groups feel that it is very important also, and it leaves adequate timber supplies available for local industry.

In keeping with recent wilderness legislation enacted by the Congress, this bill contains a provision releasing other lands in the forest from further wilderness studies or deferrals for the life of the initial forest plan for the area. So these lands are thus available for multiple-use management.

Some citizens, Mr. Chairman, have expressed concern regarding a proposed road which would run from Butler in Johnson County to Blue Spring in Carter County, TN. One proposed route for this road is within the Big Laurel Branch area, which will be designated as wilderness by our bill.

The Forest Service has reported that such a road would present substantial economic and environmental problems because of the difficult terrain and unfavorable geological conditions. The most logical and practical corridor would be located outside and to the north of the boundaries of the proposed wilderness.

I realize full well, as does my colleague, that some citizens of the area believe that such a road would benefit the tourism, but it is important that detailed studies be conducted first because of the potential impacts from the construction of the road.

The management and use of this forest is a matter of intense concern in our State and I really do believe this is very important.

In closing, I would like to particularly thank William H. Skelton and other members of the Cherokee National Forest Wilderness Coalition for their efforts in helping to prepare this bill and providing supporting documentation.

I also want to thank Forest Supervisor Don Rawlins and his staff for producing a good wilderness proposal as part of their planning process, and I think it is for these reasons, in part, that this bill commands such broad support from the people of Tennessee.

Again, Mr. Chairman, I appreciate your courtesy in allowing me to speak here, and I really do commend this bill for your consideration and support.

Senator HEFLIN. Thank you, Senator Gore.

All right. Now, Mr. Robertson, we appreciate your courtesy in letting Senator Gore go ahead, and we would be delighted for you to continue.

STATEMENT OF DALE ROBERTSON, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. ROBERTSON. Mr. Chairman, if I could have my entire statement put in the record,¹ I can quickly summarize, particularly the Tennessee one.

We support S. 2685 on the Tennessee Wilderness, and as has been pointed out this morning, it adds six areas totaling about 34,000 acres to the Wilderness System in Tennessee. We completed the forest plan for the Cherokee National Forest in April, where we did take a comprehensive look at all the roadless areas on that forest, and S. 2685 is consistent with our recommendations in the forest plan. So we strongly support this bill.

Now, as for Alabama and the Sipsey Wilderness, S. 2782, the Department of Agriculture opposes S. 2782, unless it is amended.

We support many of the sections of this bill, but there are others that we oppose. We support the portion of the bill that would designate about 60 miles of the Sipsey River as a wild and scenic river. Again, we have completed the study of the Sipsey River as part of our forest plan for the National Forests in Alabama, which was completed back in March.

Our conclusion is that the 60 miles that is in this bill ought to be designated as a wild and scenic river.

Senator HEFLIN. Well, then, you support that.

Mr. ROBERTSON. Yes, we support that.

Now, in addition, the forest plan proposed inclusion of an additional 1.5 miles of Montgomery Creek which is not included in this bill, and we would prefer to see that additional 1.5 miles added to the bill.

Senator HEFLIN. That was where there was some discussion of you doing it, but there was some discussion that it might be late, but then later, when the bill was introduced, it was changed, but it did not go back to Wild and Scenic?

Mr. ROBERTSON. That is right, and it is about 1.5 miles of Montgomery Creek.

Now, Mr. Chairman, we strongly oppose sections 101 (b), (c), and (d), that would require the construction of a lake of 800 to 1,000 acres. Our estimated cost is somewhere between \$18 and \$22 million for this lake, as well as the related facilities of an access road, campground, boat launching ramp, which is just not justified in view of other priorities, the budget, and the Federal budget deficit in which we are all involved. Also, we have not done any feasibility or environmental studies on such a proposal.

So we would object to those sections.

We would urge you to delete section 101(e) which would require the Secretary of Agriculture to take action to monitor the quality

¹ See p. 33 for the prepared statement of Mr. Robertson.

of water flowing into Smith Lake and to take actions needed to control any conditions causing a water quality problem.

Now, we would want to do that on the national forest land and through other laws. In our land stewardship responsibilities, we would do that, but some of the waters that flow into the Sipsey River flow over private land and are beyond the control of the Secretary of Agriculture.

Section 201(a) would designate 10,070 acres additional area to the Sipsey Wilderness.

Senator HEFLIN. Let me ask you on that, that water quality, you say some of it flows over private lands. That is because of where the location of it is, at the southernmost part of that. If the location was moved to a different place, would that eliminate the flow over private lands?

Mr. ROBERTSON. No, predominantly, the private land is on the lower part of the river, but there also are private lands upstream, in the upper watersheds.

Now, section 201, that would designate 10,070 acres addition to the Sipsey Wilderness, is very close to, but not the same, as that recommended by the Forest Service in our forest plan. We recommended 10,260 acres be added to the Sipsey Wilderness. In our looking at the map, S. 2782 would delete about 1,600 acres in the Thompson Creek drainage, which we had recommended, but you would add about 1,200 acres in the Hagood Creek drainage, which we did not include.

So we would recommend that the bill be amended to reflect the 10,260 acres proposed in the forest plan. These are rather small areas in relation to the total.

Now, to the southern pine beetle, which is of so much concern to you. We do not support section 201(c) which would require the Secretary of Agriculture to eradicate the southern pine beetle from the Sipsey Wilderness and adjacent Bankhead National Forest.

Senator HEFLIN. Was not the word eradicate removed from the bill as it was passed, as discussions that were with the Forest Service, the language that was introduced was attempted to accommodate the Forest Service rather than using the word eradicate, was to take all reasonable steps and give clear authority?

Mr. ROBERTSON. Well, the word eradicate is a problem.

Senator HEFLIN. But as I understand it, it is not in the bill that was introduced.

Mr. ROBERTSON. Well, my copy of the bill does say eradicate, but it may not be the latest.

Senator HEFLIN. We understand that the language was changed to where it was "take actions as is deemed necessary to control the spread and to minimize the impact with the intention of endeavoring to eradicate the presence." I think one copy of the proposed bill that was circulated had the word eradicate, and the Forest Service objected to that because as I understand it, there were some suits some other places because they failed to eradicate it, and there were suits against it by people outside, and therefore, to try to accommodate it, that language was changed to some degree. But you still have objection to the present language? Maybe that is your bottom line.

Mr. ROBERTSON. Yes. Let me explain. We do have some lawsuits on the southern pine beetle control which are of very much concern to us, but basically, the southern pine beetle is a native insect and it is usually always present in southern pine forests, but at a very low population level.

So it just is not possible to eradicate it. What we try to do is control outbreaks, epidemic outbreaks. So eradication is just not biologically a realistic goal.

We also are concerned about the discussion on preventive measures taken inside the wilderness to reduce the susceptibility of the southern pine beetle attacks. You know, if you are going to protect southern pine over the long term from southern pine beetle, you need to keep the forest very healthy, do some thinnings, and keep the trees growing vigorously.

Senator HEFLIN. I see Senator Denton is here. Could we interrupt you and allow him to go ahead?

Mr. ROBERTSON. Sure, I would be glad to.

Senator HEFLIN. I know that he has plenty to do.

Senator Denton, we are delighted to see you and we would be delighted to hear from you.

STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM ALABAMA

Senator DENTON. Thank you, sir.

I want to thank you, Mr. Chairman, for your willingness to hold this hearing today. You and the members of this subcommittee are to be commended for your efforts toward passage of Sipsey Wilderness legislation in the waning days of this 99th Congress.

I have long been a supporter of wilderness legislation. I consider it one of the best ways that we can pay tribute to and enjoy nature. I was proud to have been the Senate sponsor, during the 98th Congress, of the act creating the Cheaha Wilderness in Alabama. That bill was not only unopposed, but was strongly supported by every interested constituency group in my State.

Today, we address the issue of whether or not to expand the existing Sipsey Wilderness located in northeast Alabama. Unlike my wilderness proposal, previous proposal to expand the Sipsey, have been understandably opposed by persons who are worried that their livelihoods will be jeopardized.

I know all of us feel that we should preserve the pristine beauty of a portion of our woodlands, our deserts, our swamplands, for future generations as a welcome legacy for our grandchildren and their children. But the expansion of the Sipsey Wilderness must not pose any threat to those Alabamians in the local timber industry. We have held hearings in the last Congress on proposals to expand the wilderness. At that time, representatives from Alabama's timber industry expressed valid concerns that a major additional wilderness designation could displace workers.

As you know, Mr. Chairman, we are all concerned that in that part of our State, overall unemployment has been high, the timber industry being no exception, and with unfair foreign competition, the problem is compounded further.

As a result of the concerns previously expressed, passage of legislation has not been possible prior to this time. I have felt—and I believe that view has been shared by others in the Alabama delegation—that all affected parties should have an opportunity to be heard fully. We should do all that we can to alleviate any fears that folks may have.

I commend the U.S. Forest Service for their assistance in trying to reach a compromise on this important issue. Information that they have provided has been invaluable in such deliberations in which I have participated.

I have met with members of the Alabama Wilderness Association, the Audubon Society, the Alabama Forestry Association, the Sierra Club, and Forest Service officials on numerous occasions over the past 4 years. My Washington and State staffs have spent countless hours working with the interested parties. I have tried to make some kind of contribution toward a fair and equitable solution to expansion of the Sipsey Wilderness.

I acknowledge and praise much previous and additional work having been done by my senior colleague, the chairman, Senator Heflin, by Congressman Ronnie Flipppo and their able staffs. As a result of all that work and this hearing, hopefully we can reach a resolution of this issue and see passage of a satisfactory bill before Congress adjourns. I am still cautiously optimistic about that prospect.

For my part, it has never been my intention to prevent a bill from being passed, but rather to assure that all interests—recreation, timber, environmental, fishing, hunting, horseback riding, canoeing, hiking, or any other activity—are protected to the maximum possible extent.

The intention of everyone in Alabama's delegation has been to pass a Sipsey Wilderness expansion that is acceptable to the largest possible segment of our State's population. I see this hearing in that context at, I hope, a climactic time. I am confident that we can succeed in addressing those concerns under these auspices. I commend everyone for their interest and many hours of work that have brought us here today.

Again, Mr. Chairman, I want to thank you for affording this opportunity which we hope will be decisive in bringing about that which we are all interested in.

Senator HEFLIN. Thank you, Senator Denton.

We will return now to Mr. Robertson. Mr. Robertson, we appreciate your courtesy in allowing Senator Denton to go ahead.

We would be delighted for you to stay with us the whole time, but if you have other things, we understand, Senator Denton.

So we will go back to you, Mr. Robertson.

Mr. ROBERTSON. Thank you, Mr. Chairman. We were in the middle of the southern pine beetle problem when we left.

We have already talked about the eradication concern we have. Also, the bill talks about taking preventative measures inside the wilderness to protect the forest from susceptibility to southern pine beetle attacks later. We have some concerns about that because, as I was saying before, in order to protect the southern pine forest, you need to keep the forest growing and healthy and do some thin-

nings, and we just do not believe that would be compatible with the wilderness designation.

Now, I might add that the area that is included in your bill, that is not in the forest plan, which is part of Hagood watershed, does have a lot of pine timber in it. That was our primary reason for leaving that area out. It is moderately productive timber land, but we are also concerned about the southern pine beetle.

Senator HEFLIN. I see Senator Zorinsky is here. Do you want to make a statement?

Senator ZORINSKY. In the interest of time, I request that my statement be placed in the record.¹

Senator HEFLIN. It will be so entered.

Mr. ROBERTSON. We also oppose section 201(d) of the bill which would allow the use of motorized vehicles within the proposed Sipsey Wilderness addition. The use of motorized vehicles is incompatible with wilderness and specifically prohibited by the Wilderness Act, Public Law 88-577, and we would not want to create a precedent on the use of motorized vehicles in wilderness.

We would also urge you to delete section 201(e) which would direct the Secretary of Agriculture to take such actions as necessary within the designated wilderness to correct conditions that are injurious to water quality.

The Secretary already has authority to correct conditions which are causing resource damage within wilderness areas and we would want to look at that on a case-by-case basis and consider the effects on water quality, as well as the effects on wilderness values. We believe we already have the authority to do that.

Section 202 of the bill contains the standard release and sufficiency language for the remaining roadless areas in the national forest in Alabama, and we strongly support this language.

So, in summary, Mr. Chairman, we support the 60-mile segment of the Sipsey River as a wild and scenic river. We also support a Sipsey Wilderness addition of about 10,260 acres which is very close to this bill. However, we do oppose a number of the specific provisions of the bill, which we believe are either undesirable or not needed.

I would be pleased to answer any other questions you may have Senator HEFLIN. Senator Zorinsky, do you have any questions?

Senator ZORINSKY. I certainly think this is an Alabama issue. Therefore, I defer to your judgment on this matter.

Senator HEFLIN. Senator Denton, do you have some questions?

Senator DENTON. No, sir.

Senator HEFLIN. Let me ask you a little bit of the history. You, of course, have had the study, which was the Forest Service, was designated originally to have what they call RARE I study, I believe, and then you have now finished, in Alabama, the RARE II study. Is that correct?

Mr. ROBERTSON. Yes. The RARE I was a study of all the roadless areas on the national forest, and that was started back in about 1971 or 1972. Then, we came along later, in about 1979, and did RARE II, which looked at the roadless areas again.

¹ See p. 33 for the prepared statement of Senator Zorinsky.

Then, we were taken to court by the State of California about the RARE II decisions in the State of California. In that court case, the judge concluded that our environmental impact statement covering the nationwide RARE II study was inadequate and therefore, we had to go back and look at individual roadless areas in the forest plan. So we have looked at these roadless areas three times: RARE I, RARE II, and the forest plan.

Senator HEFLIN. Basically, are there certain guidelines that you look for as to the qualities of the lands that would be set aside as wilderness? Are there certain guidelines that you try to follow as to what lands should and should not be designated as wilderness?

Mr. ROBERTSON. Yes. Mr. Chairman, I look at that in a two-phase approach. We identify the areas that would qualify for wilderness, and there are some criteria, like solitude, and being roadless. After we look at the areas that potentially qualify for wilderness, we go through a planning process to look at all the other possible uses in this area; for example, the timber values, or the mining or minerals, and other uses, or off-road vehicles use that would conflict with wilderness.

So we make a judgment looking at all the values there and as to whether it ought to go to wilderness, because if it goes to wilderness, it forecloses a lot of other uses. That is a judgment call that we make.

Senator HEFLIN. In other words, what I am trying to do is how do you decide. You came up with your recommendation to be 10,262 acres. Now, a bill was passed in the House one time that would add 28,000.

Mr. ROBERTSON. Yes.

Senator HEFLIN. What criteria or what factors would, say, have gone into the fact of whether there ought to be 10,262 acres as opposed to 28,000? What criteria? Tell us what criteria was used relative to the Sipsey Wilderness.

Mr. ROBERTSON. Well, we would have gone through our planning process, which inventories the resources on the ground and identified the areas that qualified for wilderness. Then we would, through our planning process, look at the various values, like the timber value, the recreation value and the wilderness values.

We would have gone through a lot of public involvement, and I suppose we probably had public meetings in the State of Alabama, and bounced off of the people various alternatives on how to manage the land. The alternatives would have been accompanied by what were the tradeoffs, what were the economic effects, how much effect would it have on timber and other uses.

After we gather the public comments on those alternatives, then the Forest Service makes a judgment call, and we are very concerned about balanced use of the national forest. We support wilderness. In fact, we have about 32 million acres of the national forest land in wilderness, which represents about 17 percent, but we also have the bulk of the national forest in what we call multiple-use management, where a lot of different uses go on. We are very concerned about what we call balanced multiple-use of the forest. Wilderness has its place, but in every case you have to make some judgment how much wilderness is needed in relation with all the other uses of the land.

Senator DENTON. Mr. Chairman, as you know, I am not a member of the Agriculture Committee.

Senator HEFLIN. Go right ahead, sir.

Senator DENTON. I know that that is the committee in which this will be finalized. Again, I want to thank you for permitting me to testify today, and particularly to congratulate you and Senator Zorinsky and the other members of the subcommittee for having this hearing, which I think has a great deal of promise.

Senator HEFLIN. Thank you, Senator Denton.

Senator DENTON. I have to go to the Armed Services Committee.

Senator HEFLIN. Back to the pine beetle, we understand that particularly in the Sam Houston National Park in Texas, that there has been a real problem with the southern pine beetle. In the sense that it has been designated, there has been extensive damage. Now, because of the pine beetle, some other lands that may have been considered for expansion, that these have been dropped from further wilderness consideration. If so, could you tell us why?

Mr. ROBERTSON. Well, we have a Texas wilderness bill that passed last year. It designated certain roadless areas as wilderness and released the remaining roadless areas in Texas for multiple-use management. So that was a congressional decision made last year as part of the Texas wilderness.

Now, we do have a very serious problem with southern pine beetle in Texas, the worst in history, and there are just thousands and thousands of acres of valuable pine forest that have been destroyed by the southern pine beetle. A lot of the southern pine beetle epidemic is in some of the wilderness areas, and we have had to go in and cut some trees to try to control southern pine beetle to keep it from spreading from the wilderness area out into private land and doing damage outside.

Senator HEFLIN. These lawsuits that have been brought, has it been where there was positive directive language to the Forest Service and that the Forest Service has been sued for failure to carry out that language? Is that basically the thumbnail sketch of what the lawsuits are about?

Mr. ROBERTSON. No, sir. The thrust of those lawsuits is taking us to court for cutting down trees and trying to control southern pine beetle within wilderness areas.

Senator HEFLIN. The lawsuits have been brought by the environmentalists?

Mr. ROBERTSON. By the groups who are concerned about the effect it is having on wilderness values.

Senator HEFLIN. In other words, where the pine beetle existed, you took steps under what you thought you had authority, and then you have had the proponents of wilderness come in and sue you and saying that that was a violation of the Wilderness Act?

Mr. ROBERTSON. That is correct.

Senator HEFLIN. All right, sir. I believe that is all. Thank you.

Mr. ROBERTSON. Thank you, Mr. Chairman.

Senator HEFLIN. All right, sir. I think now we have the next person who will testify both for Tennessee and Alabama, is Ron Tipton, southeast regional director of the Wilderness Society.

Mr. Tipton.

**STATEMENT OF RONALD J. TIPTON, SOUTHEAST REGIONAL
DIRECTOR, WILDERNESS SOCIETY, ATLANTA, GA**

Mr. TIPTON. Thank you, Mr. Chairman, for the opportunity to present testimony on both of these pieces of legislation. Let me dispense with my testimony on the Tennessee bill very quickly and get to the Alabama legislation, which I think you and I are both most concerned about today.

As far as the Tennessee bill is concerned, I just want to publicly thank both Senators Sasser and Gore for their strong leadership in a time that we needed it in coming together with their colleagues in the House to settle this issue.

As Senator Gore mentioned in his testimony, with the passage of this bill—which we feel is likely to occur—about 11 percent of the total Cherokee National Forest, which is one of our magnificent mountain forests in the South, will be in wilderness. It is a tribute to their work and to a good recommendation by the Forest Service, and we are very pleased with that.

I would like to submit for the record, on the Tennessee bill, a copy of our testimony before the House Public Lands Subcommittee, which was on essentially the same bill. I will provide that to the staff for the record.¹

Senator HEFLIN. It will be so admitted.

Mr. TIPTON. Thank you very much.

Regarding the Sipsey, let me also say that I have been authorized by the American Rivers Conservation Council to speak on their behalf in support of the wild and scenic river designations in your bill.

We are very pleased that you introduced this bill and that you have expressed the strong desire you have to resolve the dispute. While we do not agree with all the provisions in S. 2782, I want to be very clear that we want to work with you, we want to work with Senator Denton, we want to work with all parties to pass legislation that is satisfactory to the proponents of wilderness, to the Senators, and to Congressman Flipflo.

We would very much like to see this resolved this Congress because it appears that by next week, assuming the Tennessee bill moves through, and the Georgia bill which appears to be taking shape in the Senate, that Alabama will be the last State in the southern region of the U.S. Forest Service where the wilderness issue has not been settled, the RARE II issue that you just alluded to.

We very strongly support the wild and scenic river designations in 2782. We think it was an innovative way to approach the problem that you had with the larger wilderness boundaries, to do a combination of wilderness and wild and scenic designations. We, like the Forest Service, would recommend that that mile and a half segment of Montgomery Creek, up near its headwaters, be added to the wild and scenic designations in section 101 of the bill.

¹ See p. 46 for the prepared statement of Mr. Tipton and p. 47 for the statement of Michael Scott concerning H.R. 5166.

With that amendment, all of the segments recommended by the Forest Service in the final Alabama land management plan for the national forests would be included in this bill.

We prefer the larger boundaries for the Sipsey Wilderness addition that are in Representative Flipppo's bill, which the House Interior Committee approved yesterday. That is H.R. 5508. That bill would designate approximately 5,000 to 6,000 acres as wilderness in the Thompson Creek watershed which are not included in your bill, and which are vital to the overall preservation of the Sipsey Fork watershed.

We would like also to see the Senate add back the 800 acres that has been excluded from S. 2782, which were part of the agreement reached between the Alabama Forestry Association and the Alabama Wilderness Coalition on an acceptable Sipsey Wilderness addition.

We are very concerned about the language in section 201(c) of S. 2782. This is the language that you and Mr. Robertson just discussed on the pine beetle, the language which would require the Forest Service to "take such actions as deemed necessary" in the Sipsey Wilderness and the Sipsey Wilderness addition to control these infestations. We believe the language is somewhat inconsistent with the spirit and the intent of the Wilderness Act in that it would not require the Forest Service to consider the impacts on wilderness of its Pine Beetle Control Program.

We recognize the Wilderness Act does make provision for control of insect infestations. It also requires the public land managing agency to manage land to protect the wilderness character. The concern we have is based on experience in States like Texas and Louisiana, where large areas of existing wilderness have been cut, and it is not clear that that is going to be effective in controlling the spread of this beetle.

We have a real problem with cutting down the small designated wildernesses that we have in these Southern States for the purpose of trying to control a natural pest that is very difficult to control. We are afraid that the language would have the effect of superseding pending litigation and the Forest Service's own Draft Environmental Impact Statement on pine beetle control in the Southeast which is now out for public review. The draft statement was released this summer, and the public comment period expires next month.

This EIS is an effort by the Forest Service to look at the issue on a regionwide basis and make a policy decision that would affect the entire southern region. We are virtually certain that the House-passed bill will not contain the pine beetle provision. We hope it would not be in the Senate bill.

We do think it would be appropriate for the committee to look at including report language that would address the pine beetle issue so long as the language does not direct the Forest Service or mandate it to waive existing law or to ignore the potential impact on wilderness of timber cutting to control beetle infestations.

We also must object to section 201(d), which would require the Forest Service to keep open for motorized uses Forest Service Road 208, which is the so-called Northwest Road, inside the boundaries of the Sipsey Wilderness addition.

We feel this would be contrary to the overall intent of the bill, which is to preserve additional lands in their natural state. Furthermore, the Forest Service itself has indicated it wants to close this road within the boundaries of the proposed Sipsey Wilderness addition.

Section 201(g) would permit "continued use of horsedrawn vehicles" in the Sipsey Wilderness addition. We feel this is inconsistent with the Wilderness Act's prohibition on "mechanical transport" within designated wilderness areas.

This language, which is contained in 4(c) of the Wilderness Act of 1964, has been interpreted by the Forest Service to exclude bicycle use, the so-called fat wheel bicycles in wilderness. We urge the committee to delete this section.

Let me just summarize by saying that I again want to state the Wilderness Society's willingness to work with this committee and with all interested parties to complete action on this legislation this Congress. We have right now only about 3 percent of all the national forest lands in Alabama that are in wilderness, which is a lower amount than most other States in the South.

So we would hope we can finish this and we could get a generous sized Sipsey Wilderness enacted and available for the use of people in your State and all the States in the South.

I would be pleased to try to answer any questions you might have.

Thank you.

Senator HEFLIN. Well, Mr. Tipton, I really see the Wilderness Society and the national groups, their position as being whether or not we pass—being crucial to whether or not we pass a Sipsey bill before the end of this Congress. If you continue your opposition to efforts to try to put language in the bill pertaining to the southern pine beetle, then I see it as going to cause a problem and really probably means that it cannot pass.

Now, if the Wilderness Society is willing to, in effect, reach a compromise on language to be included in the bill, not the report language, I think you have got a good chance of passing this bill this time.

Frankly, as I understand it, your local society in Alabama is agreeable to that, but that the national groups do not want to give on it, or make a compromise pertaining to it. So, really, I think that at least from my viewpoint of my support—I am not saying that it cannot be done otherwise—but trying to reach an agreement and getting the support, I think the bottom line is the southern pine beetle.

From what we hear of the infestation in the existing wilderness and in the areas in which it would be expanded, that it is there and it is causing problems, and it is potentially a tremendous powder keg for the destruction of timberlands, not only there, not only in the Bankhead National Forest, but private ownerships that own in that whole area.

Now, I am just saying I think that may be the bottom line on whether we reach it. Now, are you going to be willing to try to reach an accommodation on this?

Mr. TIPTON. We certainly would be willing to try to reach an accommodation. I think there is another party to this that is prob-

ably more important than the Wilderness Society or the Sierra Club, and that is Congressman John Seiberling, chairman of the Public Lands Subcommittee in the House.

Congressman Seiberling has had hearings on this issue, this issue of the problems of controlling the pine beetle in wilderness. He is very concerned about what has happened in Texas, about what has happened in Louisiana. I think he will certainly want to reach an agreement on this bill, but I think he would not want to give the Forest Service carte blanche authority to take action that is deemed necessary to control the beetle, or to waive existing law, and also do that in the middle of a court-ordered environmental impact statement process.

Senator HEFLIN. Well, I have found that most of the people, who the Wilderness Society rely on to oppose legislation, are willing to do what the Wilderness Society wants to agree on.

Now, you can get somebody, a Senator or a Congressman, to espouse your viewpoint and oppose it, and you can hide behind their coattail, but I am just saying that in the shortage of time that we have that remains, if you want this passed at this time, it is going to have to be done with agreement and it is going to have to be nobody cropping up someplace and opposing something on this sort of thing.

What I am saying is that you have an opportunity here, and there are people here who are on the other side, that if you can work out an agreement, and work out an agreement not where you agree with them and then get somebody else to do your dirty work—and I frankly have watched some of this as in the past—really, I am trying to impress upon you that if we are going to pass this wilderness and pass it now, it has got to have complete, 100 percent agreement on all parties concerned.

Otherwise, it cannot be. Anybody can, in the late days of the Congress, can oppose something. So I think while people are here, and you all are here today, I hope you all will take an opportunity to try to work this thing out. I do not know how I can make it any clearer. I want to pass the bill. I would like to do it.

We have had this thing going on for a long time, and it is not a major issue, but it is an issue that the newspapers certainly want to write about, and they want to editorialize all the time, and I think Congressman Flippo had an opponent that ran against him on his expansion. I had an opponent that ran against me. Neither one of them we figured mustered much support for their position. But, nevertheless, it is there. I would like to get rid of it and get it settled once and for all, and do it. So I hope today, with everybody here, you all will get together and work this thing out.

Mr. TIPTON. Well, I appreciate your comments. I think the one thing that would be of the greatest concern to us regarding the pine beetle control issue, is that we would not want to see something in the bill that would simply, in effect, set aside the Forest Service's regionwide environmental impact statement, where they are, for the first time, taking a regionwide look at how to control the beetle and how to protect wilderness areas at the same time. Perhaps they are coming up with some slightly different variations of existing policy that can do a little better at both.

That would be my main concern. But I agree with you, we would like to see this passed. As I said, we do not want to see Alabama be the last State in the South where the RARE II issue lingers on. It is not to anybody's benefit.

Senator HEFLIN. All right. Thank you, Mr. Tipton.

Mr. TIPTON. Thank you. Oh, I wanted to tell you Senator Gaylord Nelson asked me to wish you the best. He is out in Utah for our council meeting, but I know he wanted to be here.

Senator HEFLIN. William Bustin, executive vice president, Alabama Forestry Association, Haleyville, AL.

Mr. Bustin, we are glad to see you and we are glad to have your testimony.

**STATEMENT OF WILLIAM BUSTIN, EXECUTIVE VICE PRESIDENT,
ALABAMA FORESTRY ASSOCIATION, HALEYVILLE, AL**

Mr. BUSTIN. Thank you, Mr. Chairman. Maybe we should go up to our friends and neighbors in the North and invite them down and tell us how they do it up there. It sounds like they have done a real good job.

Mr. Chairman, we appreciate this opportunity. As you well know, this business of wilderness in Alabama has been a problem for 4 or 5 years, and we appreciate the opportunity to appear before the Senate Agriculture Committee to speak regarding your proposed Senate wilderness bill concerning the William B. Bankhead in Alabama.

My name is Bill Bustin and I represent the Society for the Wise Use of Federal Forest Lands, the Alabama Forestry Association, a statewide spokesman for our industry in Alabama, and myself as a professional forester.

At this point, Mr. Chairman, I would like to say that Mr. Marshall Frost, our president of SWUFFL, has testified before this committee many times before on issues of this bill. He is gravely ill and he could not be with us today.

Forestry in Alabama represents about a \$5 billion annual industry and second to no other industry in our State. Over 50,000 people, hard-working citizens of Alabama, work in this industry and are proud of their heritage and believe that our timberlands should be protected, but used, by the citizens of this great State.

In Alabama, we do have over 22 million acres of forest land, exceeded only by Georgia and Oregon in number of acres. The fact that wilderness areas should be set aside or not set aside has never been an issue in this matter. The question, as always, is how much should be locked up in our State, how much should be used for non-commercial use, and where should it be located.

Now, we call this a 1-percent principle. We feel like that there is only 1 percent maximum that will ever use any wilderness area. One one-half of 1 percent will ever go in it over 100 yards. Why should we have this at the expense of 99 percent of the people that never have anything to do with it.

Alabama has been hard hit by unemployment. We are at least 3 percentage points above the national average. This proposed wilderness on the William B. Bankhead National Forest covers por-

tions of Lawrence and Winston Counties in northern Alabama with unemployment rates of 14.0 and 19.2 percent respectively.

Loss of jobs is an acute problem in the timber industry in these days. Establishment of wilderness would most certainly have a very real impact on all our citizens by loss of jobs and products.

A few months ago a wilderness coalition of environmental groups, individuals, loggers, the Alabama Forestry Association, and State and Federal agencies met and agreed upon compromise acreages to be added to the wilderness system in Alabama.

This compromise acreage was approximately 10,873 acres addition to the present 12,725 acres that is there now. Included was additions for wild and scenic river status in Sipsey, Thompson Creek and Borden Creek watersheds.

My question here—and if I may pause a second—is we wonder why the House version did not reflect this, as yours does, Mr. Chairman.

Mr. Chairman, those of whom I represent from Alabama would support your Senate bill 2782:

One. In its wild and scenic river designation as written.

Two. In the addition of approximately 10,070 acres to wilderness on the Bankhead National Forest that is included in units, RARE II study units of 068, 207, and 208.

Three. In its allowance to “take such actions as deemed necessary to control the spread and minimize the southern pine beetle within the Sipsey Wilderness,” as written.

Four. In its allowance, if necessary, of Forest Service Road 208 to remain open to motorized traffic.

Five. In its allowance of other existing roads within the Sipsey addition to remain as hiking and horse trails, as written.

We strongly request that acreage additions contained in Senate bill 2782 be the maximum allowed on the William B. Bankhead National Forest.

We strongly oppose U.S. House wilderness legislation presently under consideration on the Bankhead for acreage additions and wonder why compromise issues were not considered in its script.

Mr. Chairman, more money, time and effort has been expended on the wilderness issue in Alabama than any other I can remember. It has covered at least 5 years of concern, animosity, hard feelings between parties concerned, and misrepresentation of real facts of this issue.

It is high time we put this issue to rest and proceed with other important issues at hand in Alabama, but not at the unreasonable expense of our forest industries and our people of the great State of Alabama.

In conclusion, we would like to thank you for being able to be here. We thank you for the invitation to discuss this bill. We thank you because we were not notified of the House bill being up. We were not notified of the hearing, and I did not know it; I was not. But from Alabama's industry viewpoint and those that have sent me, this is what we have to say, sir.

Senator HEFLIN. Thank you, Mr. Bustin.

We have a live quorum. I am trying to find out whether I have to go. I may have to go over there and report, and come back. Maybe this will give you a little opportunity for some discussions to take

place. Now, we will have a cloture vote, I think, immediately afterwards. But I will probably have to go immediately and report, and then I will come right back.

So we will sort of just recess briefly, and then we will resume it in a few minutes.

[Recess.]

Senator HEFLIN. All right. Maybe since Mr. Bustin has finished, we could expedite this by calling the rest of the witnesses, since they represent the Alabama Wilderness Coalition, or the Sierra Club, or the Audubon Society, and have an interest from an environmental viewpoint, around as a panel of witnesses: John Randolph, Dr. James L. Taylor, Dr. Paul Kittle, and Dr. Charles Prigmore.

If you all will come along, and, Mr. Randolph, if you would, you start by giving testimony.

Mr. RANDOLPH. Yes, sir. Thank you very much.

STATEMENT OF JOHN N. RANDOLPH, ALABAMA WILDERNESS COALITION, BIRMINGHAM, AL

Mr. RANDOLPH. Senator Heflin, it is my great pleasure to appear today on behalf of some 1,300 members of the Birmingham Audubon Society, to express our strong and enthusiastic support for the wilderness and wild and scenic river designations contained in your legislation.¹

The bill, which seeks to establish Alabama's first and only national wild and scenic river and to expand our first national wilderness area, represents the culmination of a long and often difficult process leading toward a final resolution of the RARE II issue.

Senator Heflin, we feel that you deserve the gratitude of every Alabamian for your sponsorship of this historic legislation. Likewise, Senator Jeremiah Denton is due strong commendation for his leadership in the negotiations leading up to the development of this proposal.

The designations contained in S. 2782 are clearly in the best interest of the people of Alabama. Through its proposed mix of wilderness and wild and scenic river, coupled with the semi-primitive administrative designations contained in the current Alabama national forest management plan, this legislation provides protection for the entire upper watershed of the west fork of the Sipsey Fork, thereby preserving for future generations an ecosystem unique in the Southeast, and helping protect a municipal watershed serving Alabama's most populous region.

Business interests that rely on Alabama's national forests for commercial timber will also benefit by a successful resolution of S. 2782, as our State's RARE II issue will at long last be concluded and management of the State's national forests will be stabilized for the foreseeable future.

With respect to some of legislation's specific provisions, we would like to offer the following comments:

Section 201(a) identifies approximately 10,070 acres as Sipsey Wilderness additions. In 1985, Alabama conservation groups

¹ See p. 48 for the prepared statement of Mr. Randolph.

reached a broad agreement with the State's timber industry for resolving the RARE II dispute. This agreement proposed wilderness designation for the same acreage as contained in 2782, plus an additional 820 acres on the southeastern side, for a total of 10,890 acres.

We do understand and appreciate the desire to provide access to families having loved ones buried in the Bunyan Hill Cemetery, and we urge that you consult with the Forest Supervisor's office for the national forests in Alabama, which has developed a proposal that would leave the "Bunyan Hill Road," Forest Service Road 224, open to its intersection with Borden Creek.

If this proposal is followed, the problem of access to the cemetery will be permanently resolved, there will be a major trail head and canoeing access point at Borden Creek, and the excluded 820 acres can be restored to wilderness designation. We do support wilderness designation for the full 10,890 acres contained in our agreement with the timber industry.

Section 201(d) proposes leaving the "Northwest Road," Forest Service Road 208, open to vehicular traffic through the Sipsey Wilderness additions. It is true that we supported a similar provision in the 1982 and 1983 wilderness bills sponsored by Congressman Flippo. However, those bills contained a substantially larger wilderness proposal—some 28,500 acres to be added to the existing 12,700 acres, for a total of over 41,000 acres—and leaving the Northwest Road open was desirable for the purpose of distributing use and access through the large new wilderness.

However, 2782's wilderness acreage, as you know, is much smaller and the amount of road involved is only some three miles. We believe that closing Forest Service Road 208 for this short distance would be in the best interest of protecting the wilderness values of the Sipsey, and we ask that this change be adopted.

As you know, Mr. Chairman, Representative Ronnie Flippo has sponsored similar legislation in the House, H.R. 5508, which proposes an addition to the Sipsey Wilderness expansion of some 5,000 acres, located on the east side of the Thompson Creek RARE II area.

We strongly urge your consideration of this additional acreage. Its boundaries have been drawn to exclude all private inholdings within the Thompson Creek area, as well as the great majority of marketable pine stands.

It extends the highest protection afforded by law to the Thompson Creek watershed, perhaps the most pristine of all the proposed Sipsey expansion lands, and achieves a fair balance between developmental and conservation interests.

But most importantly, Mr. Chairman, we strongly urge that all of the affected members of Alabama's Congressional delegation join together to seek a prompt resolution of the differences between this Senate legislation and the companion House version.

We are certain that if an agreement can be reached within the delegation, it will be supported by all reasonable interests in Alabama, and we do offer our full cooperation in support of the delegation to that end. A lasting resolution of the Alabama wilderness dispute is today within our grasp, and it would be an enormous disservice to the people of Alabama if this session of Congress were to

end with yet one more failed Sipsey Wilderness bill. Thank you very much.

Senator HEFLIN. Dr. Taylor.

**STATEMENT OF DR. JAMES L. TAYLOR, SIERRA CLUB,
BIRMINGHAM, AL**

Dr. TAYLOR. Thank you very much, Senator.

For the record, my name is James Taylor, and I very much appreciate the opportunity to appear before the subcommittee today concerning S. 2782, and I would like to thank you, Senator Heflin, for your conscientious efforts and your leadership in introducing this important bill.

As a matter of background, I am an associate professor in the School of Commerce and Business Administration at the University of Alabama. The subjects I teach include natural resource conservation, among other business topics. I think I have an appreciation of the economic aspects of timber management and the need of meeting our Nation's timber goals.

Prior to going into academia, I served some 12 years in the U.S. Marine Corps before I resigned my commission in 1974 with the rank of major.

I served my country in very difficult times. I did so because I believe in the economic and the political system that characterizes this great country. Over the last couple of years, I have done everything I can to work within that political framework to help resolve this issue regarding the expansion of the Sipsey, and I hope today that we are on the verge of finally putting this thing to rest.

Presently, I am the vice chair of the Alabama Chapter of the Sierra Club. I am the secretary of the Alabama Conservancy. Today, I speak on behalf of these environmental organizations and their members throughout the Alabama area.

I would like to express our support for S. 2782. We feel that this bill will serve as an important framework for resolving this long-standing dispute over expansion of this beautiful and pristine natural area. We feel, Senator Heflin, that you deserve the appreciation and respect of all Alabamians for your initiative in proposing this legislation.

There is widespread support for the Sipsey expansion in Alabama, support that is understandable given the nature of the area. The Sipsey area includes the last major stands of old hardwood forest remaining in Alabama and is an area characterized by unparalleled scenic beauty.

The major hardwood species in the Sipsey area are red oak, white oak, hickory, and yellow poplar. This is basically an oak/hickory biome. The major scenic attractions are the deeply carved hardwood canyons, cove areas with free-flowing streams, majestic, vertical rock bluffs, and numerous waterfalls.

These old hardwood stands and the scenic attractions are part of Alabama's natural heritage and should be preserved for all Alabamians and, in fact, all Americans.

The Sipsey area certainly ranks as one of the finest facilities in the Southeast for camping, hiking, canoeing and other outdoor activities. In addition, colleges and public schools use the Sipsey area

for environmental education, wilderness appreciation experiences, and ecological research. It serves as a good outdoor laboratory to study wildlife habitat and ecological processes and as a control area for biological research comparing "natural" with "managed" areas.

If the area's wilderness nature is destroyed, it can never be recaptured. It is lost forever, and with it goes the opportunities for recreation, ecological research, wildlife preservation, and tourism.

We feel that it is time to put to rest this longrunning controversy surrounding Alabama's Sipsey expansion. S. 2782 will, as Senator Heflin so aptly stated in his introduction of the bill, "serve as a basis for reaching a balanced approach to both rounding out the Alabama wilderness system and releasing areas to nonwilderness management."

The representatives of the conservation community in Alabama stand ready to do whatever we can to help bring this issue to a fair and equitable resolution for all parties.

Legislation similar to S. 2782 has been introduced in the House. I am somewhat caught by the extent to which these bills are alike in many ways. Both bills addressed the major concerns expressed by the timbering industry regarding large pine stands in the western part of the Thompson Creek RARE II area. Both acts exclude this part of the Thompson Creek area from wilderness designation. Both proposals allow for significant increases in the harvesting of timber in the Bankhead National Forest over the next 10 years.

The U.S. Forest Service estimates an annual harvest increase from 17.8 million board feet to an average 29.6 million board feet over this 10-year period; that is, the annual harvest increase is estimated to be 66 percent. The proposed wilderness plans will only minimally reduce this amount. I think both of them allow an increase of over 60 percent.

Both S. 2782 and H.R. 5508 remove all privately owned land within the Thompson Creek RARE II area from wilderness designation. Both bills protect, not all, but at least a substantial portion of the important watershed that serves to maintain the quality of the water supply of Jasper, AL and part of the water supply of Birmingham, AL.

There is one difference between the two proposals. S. 2782 does not include the eastern part of Thompson Creek RARE II area, approximately 5,000 acres. It does not designate this part as wilderness.

Conservationists prefer that this area be included in the wilderness proposal. To do so, we feel preserves for this and future generations the very best of the wild and scenic character of the Sipsey area.

For those of us who know and love the Sipsey so well, the territory designated for statutory protection in S. 2782 and the eastern part of the Thompson Creek are the areas that, by their very nature, should be protected. This represents truly the very heart of the wilderness area in the Bankhead National Forest.

It is my sincere hope that the small differences between S. 2782 and H.R. 5508 can be resolved in the spirit of the gentlemanly compromise that characterizes the great American political system.

I would like to thank the subcommittee for its attention to my testimony today; I urge you to quickly and favorably report this bill to the Agriculture, Nutrition, and Forestry Committee of the Senate, and work in its behalf.

Finally, I pledge to you personally, Senator Heflin, and to all the members of the subcommittee and the committee, any help you so desire from Alabama's conservation community in dealing with this important legislation.

Thank you, sir.

Senator HEFLIN. Thank you, Dr. Taylor.

Senator HEFLIN. Dr. Kittle.

STATEMENT OF DR. PAUL KITTLE, THE SHOALS AUDUBON SOCIETY, FLORENCE, AL

Dr. KITTLE. Senator Heflin, I am Paul Kittle from Florence, AL, and I am president of the Shoals Audubon Society, chairman of the Alabama Audubon Council, and associate professor of biology at the University of North Alabama, and I speak today on behalf of the Shoals Audubon Society.

We have about 200 members, and I would like to speak in strong support of your legislation, Senate bill S. 2782. Most of the members of our society are from the Muscle Shoals area and many of us are less than an hour's drive from the Sipsey Wilderness. We visit the area frequently, both as individuals and on organized field trips, and are continually impressed by the serenity and the beauty of the wilderness.

Each year I take my ecology class on a field trip to the Sipsey Wilderness to study the virgin forests that are present in the ravines there. Such forests are simply not found in other parts of Alabama. In addition to being a very valuable learning experience for these students, it is also a very valuable spiritual experience.

You know, today's 19-year-old college student is somewhat jaded in the modern world, I think, and it is pretty difficult to get them to say that they are really excited about something, but I can tell you that when these students go there to these areas and see the beautiful forests that are there, they tell me that they are thrilled. Again, when a 19-year-old man tells you that he is thrilled about seeing trees or something, it is quite an experience. It is a very rewarding experience for me to take my class to this area.

We also study the stream ecosystems of the area and I try to impress upon them the effects of watersheds upon the quality of the downstream reaches. Therefore, I believe that it is very important to provide maximum protection to the headwaters of the tributaries of the west fork of the Sipsey River by including them in wilderness acreage or in the Wild and Scenic River System.

I am pleased to see that your legislation does provide a great deal of protection to those headwater areas.

The Shoals Audubon Society is grateful to Senator Heflin and Congressman Flippo for introducing legislation which will expand and protect the Sipsey Wilderness and are hopeful that a speedy resolution of differences between the two bills will be forthcoming so that this unique area of Alabama will be preserved.

Thank you.

Senator HEFLIN. Dr. Prigmore.

STATEMENT OF DR. CHARLES PRIGMORE, PROFESSOR
EMERITUS, UNIVERSITY OF ALABAMA, TUSCALOOSA, AL

Dr. PRIGMORE. Thank you, Mr. Chairman.

Rather than going over my prepared testimony—I have already submitted copies of it—I would like to deviate from that to cover two or three things, some of which have come up today.¹ But, first, let me thank you and also express my appreciation to Senator Denton for working very diligently to obtain this expansion of the Sipsey Wilderness Area in our State.

What I would like to comment on a bit are some aspects of the testimony given by the southeast regional director of the Wilderness Society. To put it into context, let me go back about 15 years.

I was heavily involved in the original establishment of the Sipsey Wilderness in Alabama. In fact, I remember taking former Senator John Sparkman through the proposed wilderness area, and I remember testifying here in the Senate at that time, and gathered the groups together to petition the Congress and to obtain the Sipsey Wilderness.

During that same period of time, in the early 1970's, as the president of the Alabama Conservancy, and one of the leaders of conservationism in Alabama, I had occasion to attend a national conference of the Wilderness Society, to which I had belonged for some time, at that point, and had led something like three wilderness trips in the Western part of the United States. At that time, the Wilderness Society was determined to complete the wilderness areas that they had envisioned in the West, and they were strongly opposed to any wilderness areas in the Eastern part of the United States.

So I got up on the floor of the national conference, at that point, and argued that the majority of our population in the United States is east of the Mississippi River, that the people here in the East are entitled to wilderness experience, and after some bloody and rather stormy argument, we finally won the day with the support of some other people, and began to move toward development of wilderness areas in the East.

I was happy today to see the expansion in Tennessee, which happens to be my home State, and I am happy that the Sipsey Wilderness, which I was involved in the establishment of, is going to be, it looks like, expanded.

The point I want to make in bringing this out about the Wilderness Society's determination back then to focus on the West, is that a lot of time the national organization—and I do not mean to just point at them; this is true of any national organization—tends to get locked into particular points of view, and I think to an extent that came out here today.

I would say, personally, that we in Alabama—and by “we” I include the forestry people and the Forest Service, as well as environmentalists—are perhaps best equipped to decide what should be done in the expansion of the wilderness in Alabama. I do not think

¹ See p. 51 for the prepared statement of Dr. Prigmore.

we should pay more than perfunctory attention to the positions of national organizations here. This is our State, and it is our wilderness, and I think we ought to try to work it out among ourselves. And I hope we can work it out peacefully and thoughtfully and logically, because there are not very many days left in the 2d session of the 99th Congress, and speaking for myself—and I hear other people saying the same thing—it is time we got this expansion enacted into law and behind us.

It has been going on now for several years. I have talked to you about it, and I remember a public hearing you held in Tuscaloosa back some months ago when you asked for comments, and I got up and said my piece at that point.

I have met with your staff frequently. I have worked closely with Senator Denton's staff to try to reconcile some of the differences. I am keenly aware of the need to preserve jobs in Alabama. I am no longer active in the environmental movement, and I have tried to act as a mediator in this whole thing rather than being a partisan.

But I do think it is time to get this expansion over with, done, and work in the protection that you would like to have, Senator, in regard to the southern pine beetle. I will be frank with you. I have an infestation in my own yard right now of the southern pine beetle, and I get worked up a little bit about it. A lot of us do. I understand your concern about it.

I think what we ought to do here is just try to reconcile our differences as quickly as possible and get this law on the statutes and enacted into law while we have got time in this Congress.

Thank you, sir.

Senator HEFLIN. I thank each of you, Mr. Randolph, Dr. Taylor, Dr. Kittle, and Dr. Prigmore.

As you mentioned, Dr. Prigmore, we are toward the end of the session, and toward the end of the session there are so many things that come up that require study and time on the part of every Member of Congress, of the House, and the Senate. We have the tax bill. We have the budget to finalize. We have appropriation bills, a temporary continuing appropriation bill to keep the Government running, and all sorts of things being added.

We had a highway bill we passed yesterday. In addition to that, in the Senate, we have an impeachment proceeding that is almost like plowing new ground, that you do not know exactly what is going to happen, how long it will take, and all of these things.

I am on the impeachment panel, and it has been close to 10 days now, almost every morning and every afternoon, so time is a problem.

In the normal course of events, it is sometimes desirable to let the Senate work its will and the House work its will, and you come together in a conference, and you work out the differences there. But as I see it, if we are going to take any action here, we will never get to a conference. It will never get worked out.

So if we are going to reach some sort of an agreement, that means that Congressman Flippo has to agree to it, and we have to use expedited methods and try to have no roadblocks in the way.

We have heard that there might be some effort by some of the National Wilderness to get this referred to another committee. I do

not know whether that is true or not. I do not know whether that is going to happen.

But the opportunity, it seems to me, is afforded by getting everybody together, but it is hard to get people together. You are here today, and I hope—I have already seen some of you all talking—so I hope that there is progress being made on this.

I hope that we can do it. I would assume that they would allow you to use this hearing room. Usually, if nobody is using it, you can stay here and talk. Some of us have to get on the floor with some other matters and some other things there.

Steve Raby here, who is on my staff, is amenable and available to discuss the situation. Now, Mr. Bustin, I think met and agreed. He has come a long way in bringing some of the divergent groups and the controversial groups that are on the other side, that want no compromise whatsoever, and my observation is that he has gone out and he has talked to them, and got them to move a long way toward the center, and I think he is a very reasonable person. I know Congressman Flippo is a very reasonable person, and that things could get worked out.

So I hope that we will take this opportunity to see if we cannot reach something, and see if, we cannot reach an agreement and get this issue behind us.

I would like to introduce, as a part of the hearing, this article that I quoted from, from the *Forest Farmer*, "Why We Need to Control Pine Beetles in Wilderness Areas" by Jack Warren, who is the managing editor of that.

I would like to just make that a part of the record.

[The following material was received by the subcommittee:]

[Reprint from *Forest Farmer*]

WHY WE NEED TO CONTROL PINE BEETLES IN WILDERNESS AREAS

NONINTERVENTION POLICY ALLOWED DESTRUCTION OF 2,500 ACRES IN TEXAS NATIONAL FOREST AND BEETLES THREATEN VAST AREAS OF PRIVATE FOREST LAND

(By B. Jack Warren)

"You don't know what you've got until you lose it": This old line epitomizes tragic irony as well as anything from all the world's great literature. And the implications of the statement are especially apt when you're dealing with forestry. That's certainly the case in the Four Notch area of the Sam Houston National Forest near Huntsville, Texas. The sylvan setting there was once beautiful enough to be considered a "wilderness area." Then came the southern pine beetles. Then came certain environmental groups who used legal maneuvering to prevent the U.S. Forest Service from timely and proven control of the beetles.

When the smoke of the courtroom and appeals processes had cleared away, Four Notch lay devastated, with nearly half of its 6,000 acres scarred by beetle-killed pines (See cover). And, according to forestry authorities in Texas and other areas of the South, the potential for similar disasters lies smoldering amid the slow-growing, overmature, and densely crowded pines of other wilderness areas and areas under study for wilderness designation.

In fact, as of this writing, a similar outbreak of the southern pine beetle has flared up in the Kisatchie Hills wilderness area in Louisiana. Packing chain saws and fuel through miles of roadless, dense forest, beetle-control crews there are fighting against almost hopeless odds to prevent the massive losses suffered in Four Notch.

How does this concern forest farmers? The ramifications could well be profound, considering that there are now more than 520,000 acres of wilderness areas in the Forest Service's Region 8 (This does not count those areas in West Virginia and Missouri). In 1984 Congress passed eight wilderness bills—increasing the number of wil-

derness areas in the South from 18 to 59—and designated another 23 areas for further study (see table). Just over 1 million acres were released from study and are no longer being considered for wilderness.

The U.S. Forest Service, according to Southern Regional Forester Jack Alcock, has statutory authority to control insects, disease, and fire in these areas when such outbreaks threaten to spill over onto other properties, including private timberland. The problem is, however, that certain groups have found legal avenues to delay Forest Service action.

Forest Farmers Association deplores any actions that slowed down treatment of the southern pine beetle in the Four Notch and in the Kisatchie Hills area. The board of directors feels that these losses could probably have been prevented with timely and well-known beetle control methods. We also deeply regret the losses in terms of scenic value, recreation, wildlife habitat, watershed management, and timber revenue suffered by the citizens of Texas and Louisiana.

We would also like to remind all environmental groups truly concerned for conservation—and, indeed, preservation—of timberlands that the southern pine beetle can decimate a forest very quickly. In addition, many of the wilderness areas, especially those along the Coastal Plain, are very vulnerable to beetle attack because of the stand density, slow growth, and high basal area.

In the future we sincerely hope that the U.S. Forest Service will be allowed to control insects, diseases, and wildfires on wilderness areas and those under study for such designation. We also feel that the agency should be allowed to cut needed roads during these emergencies, use whatever machinery, will facilitate fast and effective control, and make its own decisions about when and where control measures should be applied. Forest Farmers Association has high regard for the professional judgment and dedication of the U.S. Forest Service and the southern state forestry agencies. We feel that these professional foresters and forest entomologists should be allowed to do their jobs without hindrance from those who are, in all reality, probably well intentioned but undeniably misinformed and unqualified regarding forest entomology.

On the other hand, the credentials of professionals like Texas State Forester Bruce R. Miles and Dr. Donald F. Billings, principal entomologist for the Texas Forest Service, cannot be questioned. Miles is a forester with more than 24 years of experience fighting the southern pine beetle, wildfires, and other threats to Texas forests. He is a director of Forest Farmers Association, president of the National Association of State Foresters, and a leader in many other forestry groups. When he speaks of the Four Notch disaster, he cannot hide his sadness and frustration.

"The tragedy of the Four Notch within the Sam Houston National Forest is a prime example of what can happen when entomological ignorance thwarts quick and effective control efforts," he wrote in a recent letter to Congress. "Three infestations of 10 acres each were allowed to grow to 2,500 acres resulting in the loss of a beautiful forest, part of a hiking trail, watershed protection, and over \$4 million in forest products to the people of Texas. Additionally, the infestation resulted in a beetle center that proliferated into over 1,000 additional outbreaks the following years on private, state, and federal lands in the immediate area."

All this, yet it has been shown that early detection and control can work. Miles notes that three infestations the same size as those in Four Notch (10 acres) were controlled on the Sabine National Forest just to the east of Four Notch. Likewise, across Interstate 45 west of Four Notch, 33 infestations were controlled on the Huntsville State Park. This suppression work, a cooperative effort between the Texas Forest Service and the Texas Parks and Wildlife Service, saved a beautiful state park from the kind of devastation that occurred on the Sam Houston National Forest. Because of timely treatment, no southern pine beetle infestation grew to more than two acres.

Nor are these success stories unusual. Forest entomologists for years have known how to control the beetle, provided they detect the infestation and begin treatment at once. The decision on which method to use should be made by a qualified forest entomologist.

And there are few, if any, more qualified than Dr. Ronald F. Billings, who was involved with the Four Notch situation from the start and who shares Bruce Miles' frustration that the Forest Service's treatment came too late because of the environmentalists' lawsuits, then Hurricane Alicia and other inclement weather. The following chronology of what happened in Four Notch is based on Dr. Billings' summary that first appeared in the *Texas Forest Pest Report, 1982-1983*, Publication 136, Texas Forest Service, pages 9-11.

1976: Certain environmental groups in Texas sued to keep the U.S. Forest Service from making a timber sale in the Four Notch area. This legal action resulted in a

court injunction, temporarily halting all clearcutting on the National Forests in Texas. Although the U.S. Circuit Court in New Orleans eventually reversed the lower court's decision and dissolved the injunction, in the interim the Four Notch area had been set aside as a further planning area in the Rare II (Roadless Area Review and Evaluation) process. Because of the lawsuit/injunction and Rare II designation, very little forest management activity occurred between 1976 and 1983.

August 1982: Several multiple-tree beetle spots were detected in the Four Notch unit, the first notable beetle activity in the area since 1977.

September 1982: U.S. Forest Service Pest Management entomologists from Pineville, Louisiana, made their first biological evaluation of the beetle activity in the Four Notch and recommended direct control. But no control was initiated due to the area Rare II designation. Also, since southern pine beetle activity had been insignificant in Texas since 1978, there was some doubt whether the infestations would develop to a critical size.

March 1983: A mild winter in 1982-83 did little to reduce overwintering beetle populations and by March 1983, 20 to 36 infestations were found in the area. Individual spots ranged from less than 1 acre to 10 acres in size.

April 1983: A U.S. Forest Service Pest Management Report (No. 83-2-15) revealed that 85 percent of the pine stands in the Four Notch area were rated as high hazard to southern pine beetle based on prevailing site/stand conditions.

The first set of periodic aerial (35mm) color photographs of the Four Notch infestation was taken by Texas Pest Control Section on April 11, 1983. Subsequent oblique aerial photos were taken on June 9, July 8, August 2, September 21, October 13, and November 11, 1983.

June 1983: Color infrared aerial photographs (scale 1:12,000) were taken by the Forest Service's Doraville, Georgia field office on June 8 and October 12, 1983. Similar photo missions were flown by the Texas Forest Service on July 21 and September 23, 1983, to document beetle infestation spread and timber mortality. Federal pest management entomologists from Pineville completed a second biological evaluation of the Four Notch; prompt control action was recommended.

July 5, 1983: The U.S. Forest Service document entitled: *Environmental Assessment of Southern Pine Beetle Control in Proposed Wilderness Areas-National Forests in Texas* was completed and approved by the Regional Forester in Atlanta, Georgia. With this approval, salvage control could begin in the Four Notch further planning area.

July 9, 1983: The environmental groups made a request to the Chief, U.S. Forest Service, to appeal the Regional Forester's decision to initiate beetle control.

Senator HEFLIN. There is no other person that wants to testify.

Ms. Teresa, who is with Senator Denton's office, do you have any questions you want to ask them, or do anything? We will be right informal. Would you like to ask them any questions or anything?

Ms. MILLER. Well, I would be glad to sit with Steve, and we can talk about some type of agreement.

Senator HEFLIN. Well, that would be fine. If you would like to ask them any questions, we would be glad to do it.

Mr. RANDOLPH. I share—I think we all do—share your desire to find an acceptable resolution to this pine beetle question. I want to emphasize the concern that we have, is with John Seiberling.

The advice we have is that, in regard to this pine beetle language, he is going to be a player. I do not know what his position is going to be. I want you to be aware that we plan to try to meet with his staff today, and see if there is some solutions there, and we will do everything we can in that regard.

But I would urge you—and we will certainly urge Congressman Flippo, too—to try to work with Congressman Seiberling, because we do feel—

Senator HEFLIN. Where is he from, Texas?

Mr. RANDOLPH. No, sir, he is from Ohio. He is the chairman of the Public Lands Subcommittee. We will see what we can do. That is my major concern, is what he will do.

Dr. PRIGMORE. One additional comment before you leave, Senator. I would like to add my word of appreciation to Bill Bustin for the very sincere and devoted way in which he has approached this issue. I have been in a number of meetings with him. I think he has represented the forestry interests fairly and objectively, and at the same time, he has been willing to compromise as far as he could with the environmentalists, and I think he deserves our appreciation and thanks.

Senator HEFLIN. I think there has been on the part of a great number of people, on both sides here, an effort to do it. Senator Denton made a genuine effort to meet, and his Alabama director moved a long ways initially, and I think made a substantial contribution toward bringing things together. I know that Teresa has worked hard on all of this, as well as a number of people, and Charlie Mitchell, who used to be on my staff, he has been representing some of the forestry people, and he has indicated a willingness to try to work everything out.

So I do hope that we can.

So, with this, we will conclude this hearing and hope that we can make some progress and can get this passed this time. It is always possible, there is always a possibility of a lame duck session, even if we do not do everything, but I would like to do it if we can. My guess is right now that whereas Congress is scheduled to adjourn on next Friday or Saturday, a week from now, it is going to be impossible to do so.

I do not see how we can dispose of this impeachment in 2 or 3 days, and with everything else that is on, that has got to come up and has got to pass, I would think that we would have an additional week of Congress that is available, and then there is the possibility of a lame duck session. The more and more I hear, there are a lot of people that are saying that there will not be.

But, nevertheless, we have until the end of this 99th Congress. Sometimes in the past, we do not get out until the 22d or 23d of December, just before Christmas. But I would hope that we would try to make every effort to try to do something. I think we have got at least 2 more weeks that we can work in this regard on it.

Thank you. I appreciate everybody coming and being here.

[Whereupon, at 11:43 a.m., the subcommittee adjourned, subject to call of the Chair.]

APPENDIX

STATEMENT OF HON. EDWARD ZORINSKY, A U.S. SENATOR FROM NEBRASKA

Mr. Chairman, I am glad that the Subcommittee on Agricultural Research, Conservation and Forestry is holding this hearing on S. 2685 and S. 2782.

S. 2685 is the "Tennessee Wilderness Act of 1986". It would create five new wilderness areas in the Cherokee National Forest in Tennessee. These five new wilderness areas would total 30,735 acres. The bill would also add 3,000 acres to the new existing Big Frog Wilderness in that State. There are also provisions for the management of the Appalachian National Scenic Trail within the areas to be designated as wilderness by S. 2685.

S. 2782 is the "Sipsey Wild and Scenic River and Sipsey Wilderness Addition Act of 1986". The bill would (1) designate the Sipsey River as a component of the National Wild and Scenic Rivers System and (2) add approximately 10,070 acres of land in the William B. Bankhead National Forest in Alabama to the existing Sipsey Wilderness. The bill also contains various provisions relating to the management of this wilderness, including provisions for the control of the Southern Pine Beetle within that forest.

Mr. Chairman, under existing law, the national forest lands are to be managed for multiple uses. Maintaining lands in a pristine natural state for the enjoyment for our citizens is one of the important uses of these lands. I look forward to reviewing the testimony of today's witness, and I am hopeful that these two bills may be expeditiously acted upon by the Committee so that they may be enacted before the end of this session of Congress.

STATEMENT OF HON. MITCH MCCONNELL, A U.S. SENATOR FROM KENTUCKY

Mr. Chairman: I shall keep my remarks brief. Wilderness designations on National Forest Lands are very important in maintaining the pristine tranquility of nature. Last year, a tract of land in the Daniel Boone National Forest in my home state of Kentucky received such designation and now the land is free forever from the spectre of rampant and undesirable commercial exploitation.

I commend the distinguished chairman this morning, Senator Heflin, and pledge my support for the outstanding initiatives which will be presented today. I look forward to hearing from witnesses who've devoted considerable personal time and money to be here today.

Thank you Mr. Chairman.

STATEMENT OF F. DALE ROBERTSON, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the Subcommittee: Thank you for the opportunity to testify for the Department of Agriculture regarding S. 2685 and S. 2782. S. 2685 would add certain National Forest System lands in the State of Tennessee to the National Wilderness Preservation System. S. 2782 would designate the Sipsey River as a component of the National Wild and Scenic Rivers System and designate certain areas as additions to the Sipsey Wilderness.

TENNESSEE WILDERNESS (S. 2685)

The "Tennessee Wilderness Act of 1986" would designate five areas of the Cherokee National Forest, comprising about 30,735 acres, as wilderness and add 3,000 acres to the existing Big Frog Wilderness. The bill also would declare that establishment and nonmotorized maintenance of those portions of the Appalachian National

Scenic Trail that fall within the proposed wilderness areas are compatible with the wilderness designation. In that connection, it would authorize the Secretary of Agriculture to permit trail signs and markings, maintenance and reconstruction of shelters and other structures now existing along the trail, and construction and maintenance of trail structures needed for resource protection and public safety. We concur with this provision of the bill.

S. 2685 represents the completion of the initial consideration of wilderness on the Cherokee National Forest. The Tennessee Wilderness Act of 1984, Public Law 98-578, designated three areas, comprising 24,942 acres, as wilderness. It also designated two areas as wilderness study areas. The studies have been completed, and both areas, Little Frog and Big Frog, are included in S. 2685 for designation. The wilderness designations made by the 1984 Act were confined to the southern half of the National Forest while those in S. 2685 (other than the study areas) are located in the northern half.

The bill contains the standard release and sufficiency language for that part of the National Forest (generally, the northern half) that was not released for uses other than wilderness by the 1984 Act. Thus, all National Forest land in Tennessee not designated as wilderness would be released upon the enactment of S. 2685. We support this language.

These recommendations are consistent with the Forest Plan which documents that wilderness use has been steadily increasing in the Southern Appalachians. The plan is supported by extensive studies and public involvement.

The Pond Mountain area contains 6,665 acres. It consists of rugged mountain terrain with Pond Mountain as the highest peak. The scenic beauty of the upland hardwood forest is the major attraction. Three hiking trails, including over 6 miles of the Appalachian Trail, cross the area. Some off-road vehicle use presently occurs in the area. Several cascades and waterfalls occur on the streams. The rights to the subsurface minerals on a portion of the area are privately owned. However, based on preliminary information, mineral values are not significant.

It was recently brought to our attention that this area, specifically that portion known as the Pond Mountain Addition, has a mineral occurrence containing strategic and critical commodities. The mineral of greatest interest is niobium (also known as columbium), but other minerals have been identified. The Bureau of Mines has prepared a fact sheet on the mineral which has been provided to the Committee staff and is attached to this statement. Based on the stable nature of foreign production and the unknown value of the mineral resource within the Pond Mountain area, we continue to recommend its designation as wilderness.

The Big Laurel Branch area, containing 6,251 acres, consists of steep and narrow ridges between hollows. Streams in the area go over cascades, slides, and short falls. The area overlooks Watauga Lake, a Tennessee Valley Authority reservoir. The Appalachian Trail traverses the entire length of the area. On a portion of the area, the mineral rights to the subsurface are privately owned. However, our preliminary information indicates that mineral values are not significant.

The Unaka Mountain area, containing 4,700 acres, sits atop the Appalachian Mountain chain with elevations to nearly 5,000 feet. It has the highest recreational use of any of the areas being considered. The Appalachian Trail is nearby, but not within, the area. Several other trails crisscross the area, and some off-road vehicle use is present. Ten waterfalls are found in the area. Three plant species that are candidates for the Federal threatened or endangered species list occur in the area, White-leaved sunflower, Rome Mountain rattlesnake-root, and Southern Mountain gentian.

The Sampson Mountain area, located near the Tennessee-North Carolina line, rises from broad, gentle creek valleys to steep, rugged slopes up to 65 percent. The proposed wilderness contains 8,319 acres. The area has dense, second growth forests. Collectively, the area is one of great scenic beauty. Use of the area for hiking is heavy, with some off-road vehicle use. Four miles of the Appalachian Trail cross the area. One of the highest waterfalls in the eastern United States, Buckeye Falls, is in the area. The rights to subsurface minerals are privately owned over nearly all of the area. However, based on preliminary information, the values of the minerals are not significant.

The Little Frog Mountain area of 4,800 acres features the long ridge of Little Frog Mountain. This ridge provides scenic vistas of the surrounding dense, second growth hardwood forests. The area contains two species of plants that are being considered for Federal threatened or endangered status, Nevius stonecrop and Dwarf Carolina saxifrage, and several species of flora and fauna of special concern. The area is easily accessible from a State highway with two hiking trails crossing it.

The 3,000-acre Big Frog Extension is adjacent to and would complement the existing Big Frog Wilderness, lying at a lower elevation but having the same rugged terrain. Several hiking trails cross the proposed wilderness. A greater diversity of elevation levels would be achieved in the wilderness by designating this addition.

In summary, we support enactment of S. 2685, the "Tennessee Wilderness Act of 1986."

SIPSEY WILD AND SCENIC RIVER AND SIPSEY WILDERNESS, ALABAMA (S. 2782)

The Department of Agriculture opposes S. 2782, unless amended.

We support the portion of the bill which would designate about 60 miles of the Sipsey River as a Wild and Scenic River. The river has an outstanding scenic, recreational, and geologic values. The Forest Service has completed a Wild and Scenic study of the Sipsey River and its tributaries as required by the Congress in 1975. The study report has not been transmitted to the Congress, however, the results and recommendations of the study are documented in the Land and Resource Management Plan for the National Forest in Alabama. Our recommendation includes not only the 60 miles that would be designated by S. 2782, but also an additional 1.5 mile of Montgomery Creek.

The Sipsey river area recommended for designation possesses no feasible water development sites. The effects of designation on timber and agricultural resources would be negligible. Potential oil and gas production would not be affected. This proposal has no known conflicts with the programs of other Federal agencies. The lands involved are predominantly in Federal ownership and administered by the Forest Service.

We strongly oppose Sections 101(b), (c), and (d) of S. 2782 which would require the construction of a lake of 800 to 1,000 acres within the Bankhead National Forest for the sole purpose of recreation. The estimated \$20 million cost of this lake and related facilities such as access roads, campgrounds, and boat launching ramps is not justified in view of other priorities and the Federal budget deficit. Furthermore, we have not done any feasibility or environmental studies to evaluate such a project.

We also urge deletion of Section 101(e) of S. 2782 which would require the Secretary of Agriculture to take actions to monitor the quality of water flowing into Smith Lake and to take actions needed to control any conditions causing injurious water quality. Some of the waters in the Sipsey Fork flow from sources on private land which are beyond the control of the Secretary of Agriculture.

Section 201(a) of the bill would designate 10,070 acres of the Bankhead National Forest as additions to the Sipsey Wilderness. We strongly recommend that the Sipsey Wilderness Additions reflect the 10,260 acres recommended for designation in the Forest Plan.

We do not support Section 201(c) of the bill which would require the Secretary of Agriculture to endeavor to eradicate the Southern Pine Beetle from the Sipsey Wilderness and adjacent Bankhead National Forest. Adequate authority exists for the Secretary to control the spread of Southern Pine Beetle outside the Sipsey Wilderness. Within the wilderness, periodic thinning of young pine forests would be incompatible with wilderness designation.

We strongly oppose Section 201(d) of the bill which would allow the use of motorized vehicles within the proposed Sipsey Wilderness Addition. The use of motorized vehicles is very incompatible with wilderness and specifically prohibited by the Wilderness Act (P.L. 88-577).

We also urge deletion of Section 201(e) of the bill which would direct the Secretary of Agriculture to take such actions as necessary within the designated wilderness area to correct conditions which are injurious to water quality. The Secretary already has authority to correct conditions which are causing resource damage within wilderness areas. As mentioned earlier, the sources of some water flowing through the Bankhead National Forest and the Sipsey Wilderness are on private lands.

Section 202 of the bill contains the standard release and sufficiency language for National Forest Lands in Alabama. Thus, all National Forest land in Alabama not designated as wilderness would be released upon enactment of S. 2782. We support this language.

In summary, we support designation of the 60-mile segment of the Sipsey River as Wild and Scenic River. We also support a Sipsey Wilderness of 10,260 acres as recommended in the Forest Plan. However, we must oppose the other provisions of the bill.

This concludes my prepared statement. I would be pleased to answer any questions the Subcommittee might have.

STATEMENT OF WILLIAM H. SKELTON, SIERRA CLUB, TENNESSEE CHAPTER, ON BEHALF
OF THE CHEROKEE NATIONAL FOREST WILDERNESS COALITION

S. 2685 is the culmination of many years of work by Tennesseans toward obtaining permanent protection for the most outstanding scenic areas in the Cherokee National Forest, and especially the northern Cherokee where there is presently no designated wilderness. I am, therefore, very happy to present this testimony and to urge Congress to expeditiously enact this Bill into law. I am testifying as Coordinator of the Cherokee National Forest Wilderness Coalition, a coalition of most Tennessee environmental groups interested in the preservation and use of wilderness areas. A list of the members of our Coalition is attached as an exhibit to my testimony. I am also a resident of Congressman Duncan's Second Congressional District and grew up in Congressman Quillen's First Congressional District and have hiked and backpacked in all of the areas contained in S. 2685. Such personal knowledge of these beautiful and wild areas long ago convinced me of the need to preserve and protect them.

We are especially thankful to Senator Sasser and Senator Gore for introducing S. 2685, and also to their respective staffs, and particularly Chris Coffin in Senator Sasser's Office and Bill Mason and Mark Delfs in Senator Gore's Office for their work in connection with this Bill. I would also like to thank the Forest Service, and particularly Supervisor Donald Rollens, Assistant Supervisor Danny Britt, and Planners Jeff Burch, Bob Larkey and Russ Griffith, for producing a good wilderness proposal as part of their Forest Planning process, on which proposal S. 2685 is based. The fact that all but a very few people are supporting this Bill reflects the effort and quality of the Forest Service's work.

There are six areas included in S. 2685, four in the northern portion of the Cherokee in Congressman Quillen's District and two in the southern portion of the Cherokee in Congressman Duncan's District. These areas constitute only 7.9 percent of the northern Cherokee where, as indicated, there is no existing wilderness and, with existing wilderness areas, constitute only 13.6 percent of the southern Cherokee. Overall, they constitute only 10.6 percent of the total Cherokee acreage. A summary of the various acreages is attached to my written testimony as an exhibit. It should also be noted that the State of Tennessee contains 13,160,500 forested acres and 27,036,160 total acres of land. The Cherokee's total acreage, 623,565 acres, represents only a small fraction of Tennessee's land: 4.7 percent of Tennessee's forested acres and 2.3 percent of Tennessee's total acreage. Further, the total existing wilderness and proposed wilderness included in S. 2685 represents an almost infinitesimal portion of Tennessee's land: .5 percent of Tennessee's forests and .2 percent of Tennessee's entire acreage. We are therefore talking about a very small portion of our land but, at the same time, an especially scenic and valuable portion. Protecting these areas is a wise and sensible legacy to future generations. We applaud Congress in proceeding to protect these areas but the applause of future generations will probably exceed ours, for the continuing march of development will undoubtedly make our wilderness areas true islands in a sea of suburbia in the future.

I would like to briefly describe the areas included in S. 2685; a more complete description of the various areas is attached to my testimony as an exhibit.

Big Laurel Branch: 6,000 acres of completely forested wilderness with steep and rugged mountain that rise, on the southeast side, 1,100 to 1,400 feet above Watauga Lake and, on the west side, in a fjord-like cliff from Wilber Lake. Numerous creeks, including the Big Laurel Branch, cut deep, steep-sided ravines into the northwest side. The Appalachian Trail passes through the area and several rare plant and animal species are found in the area. The area's steepness results in little commercial timber value.

Pond Mountain: 6,665 acres that range from a large mountain crest to the scenic Laurel Fork Gorge and its Laurel Falls. The Appalachian Trail passes through the area, and many consider Laurel Fork George to be one of the most outstanding visual experiences on the entire Appalachian Trail; the Gorge's 100 to 200 feet rock cliffs, water falls, trout fishing, and heavy vegetation make for a unique experience. Rare plant species also are found in the area. Although the area contains some timber, the cost of timber operations would be excessive because of steep slopes, rock outcrops, and cliffs.

Unaka Mountain: 4,700 acres consisting of the steep forested northern slope of Unaka Mountain, which slopes provide the setting for numerous scenic water falls ranging from the 60 feet Red Fork Falls to the 40 feet Rock Creek Falls. Rare plants are also found in the area which has little timber potential because of the steep slopes.

Samson Mountain: 8,219 acres that, together with the Forest Service's 8,653 acre contiguous Bald Mountain Ridge scenic area, provide a truly large and scenic wilderness area for upper east Tennesseans. The Samson Mountain area itself is a true wilderness in that it is rugged and inaccessible. These characteristics make it a prime black bear habitat and a portion is designated as a black bear refuge. Because the area results from the recent Forest Service planning process, little scientific study has been completed; however, the adjacent Bald Mountain Ridge scenic area has several rare plants that might be expected to also be located in Samson Mountain. Scenic highlights of the area include Buckeye Falls, possibly the highest waterfall east of the Rockies, and Painter Creek Falls. The area has little commercial timber potential.

Little Frog Mountain: 4,800 acres of wild lands located in a basin between Dry Pond Lead and Little Frog Mountain and adjacent to the Ocoee River, which is one of the best white water rivers in the eastern United States. A good trail system provides access to this completely forested area that stands in sharp contrast to the scarred and denuded lands of the Copper Hill Basin located to the west. Such contrast and the wilderness status of Little Frog Mountain will provide a good baseline for scientific study. The area has little commercial timber potential and is the site of several rare plant species.

Big Frog Mountain: 3,000 acres that constitute a needed addition to the existing Big Frog Mountain Wilderness Area. The existing wilderness is one of the most outstanding areas in the Cherokee National Forest, especially when considered with the contiguous Cohutta Wilderness in Georgia. However, the existing wilderness protects only the mountain tops and ridges; this area will provide some diversity by also protecting the streams and valleys below. Numerous rare plants have been found in the area which lacks significant commercial timber potential.

I would next like to comment on a specific provision of S. 2685 as introduced which Congress might want to consider slightly revising. Since the Appalachian Trail passes through the areas included in the Bill and since the Forest Service has, in the past, indicated some question about the compatibility of the Appalachian Trail and wilderness, it is appropriate that the legislation or committee report contain a clear statement that wilderness and the Appalachian Trail are not incompatible. Indeed, the point would appear to be obvious—the Appalachian Trail is often described as a “wilderness foot train.” S. 2685 as introduced contains appropriate language for this purpose; however, alternate language found in several prior wilderness bills passed for the East might be preferable from a precedent standpoint. Attached to my testimony as an exhibit is a copy of such alternate language which was agreed to by all parties some time ago and which is essentially the language of the House of Representatives Committee Report on H.R. 5166.

I would also urge the Subcommittee in the final mark-up of S. 2685 to ensure that the same is identical to H.R. 5166, the companion Bill to S. 2685 in the House of Representatives, so as to avoid the need for a conference committee on this matter. The near adjournment of Congress would most likely prevent any such conference. I am not aware of any differences in the two Bills except for the Appalachian Trail language mentioned above. The House Bill as reported from the Interior Committee slightly revised the original Appalachian Trail language contained in both S. 2685 and H.R. 5166 in a manner consistent with the above comments and also included the language in the Committee Report rather than the Bill.

I have hiked or backpacked in all of our States, most of our national parks, many of our wilderness areas, and in South America, Europe and Africa. There are many, many scenic treasures in those areas, many of which are spectacular almost beyond description. However, the southern Appalachians hold a special attraction in the quiet, soft, misty beauty of our mountains, streams and forests. S. 2685, with prior Cherokee Wilderness bills, will protect the very best of the scenic treasures located in the Cherokee National Forest. When passed, this Bill will provide the citizens of eastern Tennessee and, indeed, the nation, with opportunities for outstanding wilderness experiences in the coming years.

Accordingly, we strongly urge this Subcommittee, the United States Senate, the United States House of Representatives, and the President to protect these areas under the wilderness Act during 1986. Thank you.

THE CHEROKEE NATIONAL FOREST WILDERNESS COALITION

The Cherokee National Forest Wilderness Coalition was formed in connection with the RARE II process in 1967. The express purpose of the Coalition was obtaining the designation of a reasonable amount of wilderness in the Cherokee. The Coalition was formed solely from Tennessee groups interested in wilderness and, more

specifically, was formed from groups which actually use the Cherokee for varying recreational and other purposes. Since its formation, the Coalition has participated in every phase of Cherokee activities which have an effect upon wilderness, from RARE II through the Citico Creek-Big Frog Mountain studies, the RARE II Reevaluation, the present Forest Plan, and several administrative appeals of Forest Service activities.

The present member groups of the Coalition are the following: Tennessee Chapter, Sierra Club, including Harvey Broome, State of Franklin, Cherokee, Middle Tennessee and Volunteer Groups; Tennessee Citizens for Wilderness Planning; Smokey Mountains Hiking Club; Cherokee Hiking Club; Lakeway Chapter of Izaak Walton League of America; Tennessee Trails Association; University of Tennessee Environmental Law Club; University of Tennessee Canoe and Hiking Club; Tennessee Audubon Society including the Knoxville, Memphis, Watauga, Cumberland-Harpeth and Warito Chapters; Chattanooga Trout Association; Chota Canoe Club; Friends of the Earth including Chattanooga, Nashville and Tri-Cities Chapters; Mid-Appalachian Highlands Club; Tennessee Ornithological Society including Buffalo River, Chattanooga, Columbia, Elizabethton, Greeneville, Highland Rim, John W. Sellars, Knoxville, Lee R. Herndon, Memphis, Murfreesboro, Nashville, and Upper Cumberland Chapters; and Chattanooga and Nashville Chapters of Trout Unlimited.

CHEROKEE NATIONAL FOREST WILDERNESS

I. Areas proposed for designation as wilderness areas in the northern portion of the Cherokee National Forest:

Area name:	Total acreage
Bid Laurel Branch Wilderness	6,251
Pond Mountain Wilderness	6,665
Unaka Mountain Wilderness	4,700
Sampson Mountain Wilderness	8,319
Total proposed acreage—Northern Cherokee	25,935

Such proposed areas total 26,935 acres or 7.9 percent of the northern Cherokee acreage. The boundaries for such areas are the boundaries proposed by the Forest Service.

II. A. Area proposed for designation as wilderness in the southern portion of Cherokee National Forest:

Area name:	Total acreage
Little Frog Mountain Wilderness	4,800
Big Frog Mountain Wilderness Addition	3,000
Total	7,800

II. B. Areas presently designated as Wilderness in the southern portion of Cherokee National Forest:

Area name:	Total acreage
Gee Creek Wilderness	2,493
Joyce Kilmer—Slickrock Wilderness	3,881
Cohutta Wilderness	1,695
Citico Creek Wilderness	15,891
Bald River Gorge Wilderness	3,887
Big Frog Mountain Wilderness	5,055
Total	32,902
Total proposed and existing acreage—Southern Cherokee	40,702

Such proposed and existing areas total 40,702 acres or 13.6 percent of southern Cherokee acreage.

III. Cherokee Wilderness Acreage Summary: 623,565 total acres in Cherokee National forest; 326,577 in northern half and 299,000 in southern half. The above proposed and existing wilderness areas constitute 66,637 acres or 10.6 percent of the total Cherokee acreage.

1. Area: Big Laurel Branch.

2. Ranger District, County and Location: Watauga District, Carter and Johnson Counties; located southeast of Highway 91 approximately 10 miles east of Elizabethton, Tennessee.

3. Size and Boundaries: 6,000 acres using the boundaries specified in the current Forest Plan.

4. General Description: A completely forested, steep and rugged mountainous area, with the beautiful southeast side rising steeply 1,100 to 1,400 feet from Watauga Lake to the crest of the mountain. The Appalachian Trail follows the crest, sometimes at the base of high and lengthy outcroppings of rock, with several spectacular views from the tops of cliffs up to 40 feet high—views of the lake and of many Tennessee and North Carolina mountains, including Roan, Hump and Pond Mountains. Unaka and Ripshin Mountains are visible from other points in the Area. Numerous creeks cut deep, steep-sided ravines in the beautiful northwest side of the mountain, including the splendidly wild watershed of Big Laurel Branch itself. The lovely Wilbur Lake resembles a fjord because of the mountain wall which rises precipitously over 600 feet from the water's edge at the west end of the proposed wilderness, with cliffs and a graceful 50 foot waterfall, and deeply cut at two places by small streams. The Area includes thriving stands of the rare Carolina Hemlock and specimens of the threatened Sapsuck and Fraser's Sedge. It provides numerous opportunities for scientific study and primitive recreation and has very little economic potential, even for timber production, because most of it is very steep. The Area is a splendid piece of wilderness.

5. Rationale for Wilderness Designation:

a. The complete lack of any designated wilderness in the northern Cherokee National Forest.

b. The spectacular scenery available to one who walks through the Area, from the steep ravines on the northwest to the fjord like cliffs along Wilbur Lake (including a 50 foot waterfall), to the far reaching vistas from the crest of Iron Mountain. The Appalachian Trail passes through an area where high and lengthy outcroppings of rock provide outstanding views and viewing areas.

c. Several rare plant and animal species are found in this Area. Sapsuck (*Buckleya distichophylla*) is listed as "threatened" by the Federal Register; Allegheny Cliff Fern (*Woodsia scopulina*) and Carolina Hemlock (*Tsuga caroliniana*) are listed as being of special concern by the Natural Heritage Division of the Tennessee Department of Conservation. Species which are not listed but which are uncommon are Carey's Saxifrage (*Saxifrage careyana*), Fraser's Sedge (*Cymophyllus fraseri*), Pale Corydalis (*Corydalis sempervirens*). The Swainson's Warbler (*Limnethlypis swainsonii*) is on the Tennessee rare bird list and has been seen in the Area.

d. The Area contains a wide diversity of habitats, from lakeshore to high cliffs, damp forests, creeks, steep ravines, open woods and dry slopes, which is unusual for such a small area.

e. The Forest Service's Forest Plan recommends the Area for wilderness designation.

f. The DORS score of 3 for the Area as listed in the RARE II Environmental Impact Statement means there is a significantly negative cost benefit ratio for economic development of the Area. This is confirmed by the Forest Plan which states that the Area "ranked in the bottom third of the Cherokee's RARE II areas for timber productivity."

g. The Forest Service agrees that the Area meets the Wilderness Act's guidelines of natural integrity and appearance, opportunities for solitude, opportunities for primitive recreation and challenging experiences, all of which attributes the Area clearly provides.

h. Previous public support for the Area.

i. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

j. Watershed protection.

k. Baseline information.

l. Educational and research Area.

m. Diversity of tree species.

n. Diversity of plant habitat.

o. Diversity of animal habitat.

p. Recreation, including hiking, backpacking, hunting, fishing, birdwatching and horseback riding.

q. According to the Forest Plan, the only "trade-off" of existing uses if the Area were designated wilderness would be ORV use. However, that use is limited to a small portion of the Area and would not be a significant trade-off.

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1. Area: Pond Mountain

2. *Ranger District, County, and Location:* Unaka and Watauga Districts; Carter County; located approximately 5 miles southeast of Elizabethton and 2 miles east of Hampton, Tennessee.

3. *Size and Boundaries:* 6,665 acres using the boundaries specified in the current Forest Plan (consisting of the 4,365 acre Pond Mountain Area and 2,300 acre Pond Mountain Addition).

4. *General Description:* The most outstanding feature of this Area is the Laurel Fork Gorge—the wild, rugged beauty of this gorge is probably unsurpassed in the eastern United States. Many consider it one of the most beautiful parts of the entire 2,000 mile Appalachian Trail. Sheer cliffs rise 100 to 200 feet from the banks of the stream, and wooded slopes, some of them incredibly steep, rise over 1,000 feet from the streambed to the top of Black Mountain above, dotted with more cliffs and pinnacles. Laurel Fork is a superb trout stream with numerous small falls and one of the largest waterfalls in the Upper East Tennessee, the beautiful Laurel Falls (about 40 feet high and 50 feet wide). Above and behind this waterfall are rock pinnacles crowned with evergreens, and at its base is a very wide, deep pool. The flora of the Area is extremely rich and diverse. Flame Azalea, Mountain Laurel, Rhododendron (including Catawba Rhododendron and the uncommon Carolina Rhododendron), and the rare Carolina Hemlock abound in the Area, which also includes some threatened species (Fraser's Sedge, Mountain Mint, and Allegheny Cliff Fern), as well as quite a bit of virgin timber. Black bear roam the area. There are splendid views from a number of points, views of Iron, White Rocks, Roan, Hump and Unaka Mountains Little Rock Knob, Watauga Lake, Dennis Cove and breathtaking views of the gorge. Three major watersheds are completely wild, without even a footpath passing through them—those of Rat Branch, Dry Branch and Tigue Branch. Opportunities for scientific observation and primitive recreation in this Area are abundant and diverse. It has very little commercial value even for timber production because most of it is so steep and most of its timber is of only marginal quality. The Pond Mountain Addition is an integral part of the same mountain; it was an arbitrary decision by the Forest Service to make it a separate area. Much of it is fully as steep as most of the Pond Mountain Area itself. Together, these two Areas form an outstanding candidate for the wilderness system in Upper East Tennessee.

5. *Rationale for Wilderness Designation:*

a. The complete lack of designated wilderness in the northern Cherokee National Forest.

b. The presence of rare flora and fauna, such as the Carolina Rhododendron and virgin timber, plus a threatened species, Fraser's Sedge (*Cymophyllus fraseri*), and several species that are of special concern: Carolina Hemlock (*Tsuga caroliniana*), Allegheny Cliff Fern (*Woodsia scopulina*), and Spotted Coral-root (*Carallorhiza maculata*), all as listed by the Natural Heritage Division of the Tennessee Department of Conservation.

c. The absolutely spectacular scenery of the Area, which has already been recognized by the Forest Service in designating the 1,100 acre Watauga Scenic Area. However, an even more spectacular portion of the Area is the Laurel Fork Gorge. We have talked to numerous end-to-end hikers of the Appalachian Trail and all are unanimous in agreeing that the Gorge is one of the top scenic attraction on the entire 2,000 mile Trail. Wilderness will protect those areas as part of a more complete Area.

d. The Area is very accessible by paved road, but is separated from Highway 67 by non-wilderness Forest Service land.

e. Pond Mountain had a DORS rating of 4 during RARE II while Pond Mountain Addition was rated at 5. According to the Final Environmental Impact Statement for RARE II, this means a negative cost-benefit ratio for Pond Mountain and only a break even ratio for the Addition. Although the Forest Plan indicates some valuable timber in the Area, logging costs would tend to make timber operations uneconomic in much of the Area (p. C-99). The need for cable logging and high road costs account for such costs.

f. The Forest Plan recommends the Area for wilderness protection.

g. Previous public support for the Area.

h. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

i. Watershed protection.

j. Baseline information.

k. Educational and research Area.

l. Diversity of tree species.

m. Diversity of plant habitat.

n. Diversity of animal habitat.

o. Recreation, including hiking, backpacking, hunting, fishing, birdwatching and horseback riding.

p. The Forest Service agrees that the Area meets the Wilderness Act's guidelines of natural integrity and appearance, opportunities for solitude, opportunities for primitive recreation and challenging experiences (p. C-97). Such attributes are clearly present in the Area.

q. The Area was named as a "further planning" area during RARE II.

r. There are no "trade-offs" of existing uses if the Area becomes wilderness (p. C-98).

s. The Appalachian Trail passes through a part of the Area.

6. Report Prepared By: H. J. Lewis, 501 Lakewood Road, Kingsport, Tennessee 37660; Home Phone (615) 246-8844; Work Phone (615) 229-2000, ext. 2249. Will Skelton, 405 Kingston Park Drive, Knoxville, Tennessee 37919; Home Phone (615) 523-2272; Work Phone (615) 546-2800.

1. Area: Unaka Mountain.

2. Ranger District, County and Location: Unaka District; Unicoi County; located about 3 miles east of Erwin, Tennessee.

3. Size and Boundaries: 4,700 acres, using the boundaries specified in the current Forest Plan.

4. General Description: This completely forested Area consists of most of the large, steep roadless Area on the north slope of Unaka Mountain, from the gravel road over the mountain down to the tops of the lowest knobs above the valleys of North Indian Creek and Dick Creek. It includes the splendidly wild Unaka Mountain Scenic Area. This outstanding piece of wilderness contains ten attractive waterfalls which are 20 feet or more in height, including the beautiful Red Fork Falls (about 60 feet high at the tip of a series of five waterfalls beside a 70 foot cliff in a delightful garden of rhododendron) and the very lovely Rock Creek Falls (about 40 feet high in a shady glen framed by overhanging cliffs). It also boasts some virgin timber, including huge hemlocks, and much red spruce and Catawba Rhododendron, as well as two sizeable heath balds, numerous cliffs, and some of the finest hiking trails off the Appalachian Trail in East Tennessee, including one on the crest of an open, rocky ridge. It offers spectacular panoramas of Tennessee and North Carolina mountain ranges, including such outstanding peaks as Mt. Mitchell, Roan, Hump, Pond, Iron and Holston Mountains, Big Bald, Big Butt and Camp Creek Bald, as well as Mt. Guyot in the Great Smoky Mountains and Clinch Mountain in Virginia. The Area provides many excellent and diverse opportunities for primitive recreation and scientific study. The threatened Fraser's Sedge, Rattlesnake Root, Gentian, Mountain Mint and Mitchell's St. John's Wort grow in the Area, as does the rare Rock Club Moss. Black bear inhabit the Area, as do the rare raven, winter wren, New England cottontail rabbit, meadow jumping mouse and eastern spotted skunk. The Area has little timber value, with almost all the acreage being very steep, and has virtually no other commercial value. This Area is an excellent candidate for the wilderness system.

5. Rationale for Wilderness Designation:

a. The complete lack of any designated wilderness in the northern Cherokee National Forest.

b. The presence of several rare species, including three candidates for the Federal threatened or endangered species list—Sunflower (*Helianthus glaucophyllus*); Rattlesnake Root (*Prenanthes roanensis*) and Gentian (*Gentiana austromontana*) and four plant species found along the boundaries listed by the National Heritage Division of the Tennessee Department of Conservation: Large Round-leaved Orchis (*Platanthera orbiculata*), Fraser's Sedge (*Cymophyllus fraseri*), and Mitchell's St. John's Wort (*Hypericum mitchellianum*). Further, a species of special concern, Fireweed (*Epilobium angustifolium*) has been found near the Area. Further, the Natural Heritage Division has listed three rare animals for the Area as being of "special concern": Eastern Spotted Skunk (*Spilogale putorius*); New England Cottontail (*Sylvilagus transitionalis*); and Meadow Jumping Mouse (*Zapus hudsonius*). Finally, the Heritage Division has listed three animals found near the Area as being of "special concern": Star Nosed Mole (*Condylura cristata*); Swainson's Warbler (*Lymnothera swainsonii*); and Land Snail (*Pilsbryna aurea*).

c. The truly unique and spectacular beauty of the Area, including especially the many waterfalls—at least ten over 20 feet or more. Red Fork Falls and Rock Creek Falls are the best, but hiking in the Area provides a neverending series of waterfalls and views. The Forest Service has confirmed the beauty of the Area by designating the Unaka Mountain Scenic Area.

d. The Forest Service's RARE II Environmental Impact Statement reflects little timber potential for the Area—a DORS rating of 5 means only a break even cost-

benefit ratio. The steep slopes confirm the reason for this poor ratio as does the Forest Plan which states "The overall productivity of Unaka Mountain is very low . . . the majority of the area would require cable logging" (p. C-115).

e. The Area is accessible from a paved road but is separated from such road by non-wilderness acreage.

f. Previous public support for the Area.

g. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

h. Watershed protection.

i. Baseline information.

j. Educational and research Area.

k. Diversity of tree species.

l. Diversity of plant habitat.

m. Diversity of animal habitat.

n. Recreation, including hiking, backpacking, hunting, fishing, birdwatching and horseback riding.

o. The Area has a population of black bear, which fares better under wilderness management according to the Forest Plan (p. C-115).

p. The Forest Plan agrees that there are opportunities for solitude, primitive recreation and challenging experiences in the Area (p. C-114), which attributes are clearly present.

q. The Forest Service agrees the Area has the natural integrity and appearance required by the Wilderness Act (p. C-113), which attributes are clearly present.

r. The Area was recommended for "future planning" during RARE II and the Forest Plan recommends the Area for wilderness protection.

s. The Forest Plan reflects that there are no required "trade-offs" of existing uses if the Area is designated wilderness (p. C-114).

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1. Area: Samson Mountain.

2. Ranger District, Counties and Location: Nolichucky and Unaka Districts; Greene, Unicoi and Washington Counties; located approximately 20 miles southeast of Greeneville, Tennessee.

3. Size and Boundaries: 8,319 acres using the boundaries specified in the current Forest Plan. The Area was previously called the Buckeye Falls Area in the draft Forest Plan.

4. General Description: The Area contains some of the steepest, most rugged, and most beautiful mountain country in the entire Cherokee. Since the Area, together with the adjacent Bald Mountain Ridge Scenic Area, is one of the largest protected natural areas in the Cherokee, it provides superb opportunities for wilderness experiences, solitude, challenge, primitive recreation and scientific observation. It boasts many miles of excellent hiking trails and horse trails. The Area supports quite a population of black bear, and spectacular wildflower displays are found there, including rhododendron, mountain laurel and flame azalea. Trout fishing is excellent in several streams which have deep, steep-walled ravines. Painter Creek Falls (about 200 feet high) is hidden away in one of them. Another waterfall, Buckeye Falls, is perhaps the most outstanding scenic feature of the Area; it is 475 feet of cascades and falls that may be the highest east of the Rockies. Balds, high cliffs and rock outcrops afford magnificent views of the Tennessee valley, especially of the Greeneville area and across the wide plain around it to Clinch Mountain and beyond to the mountains of southwesternmost Virginia. The Area has very little commercial potential, except for timber production, and even that is marginal for most of this Area because it is so steep and because most of its timber is not of high quality. It is, quite simply, everything an outstanding wilderness should be.

5. Rationale for Wilderness Designation:

a. There is absolutely no designated wilderness in the northern Cherokee National Forest and this is the only area even proposed for designation between Erwin, Tennessee, and the Great Smoky Mountains National Park.

b. The adjacent and similar Bald Mountain Ridge Scenic Area (formerly called Jennings Creek) received an unusually high WARS rating during RARE II—a rating of 21. Only one other area, Big Frog Mountain, now a designated wilderness area, received a rating that high.

c. The Forest Plan recommends the Area for wilderness protection.

d. The Forest Plan confirms the low commercial timber potential of the Area and states that "this proposed Area ranks low in overall timber productivity when compared to other RARE II areas on the Forest" (p. C-68).

e. The Forest Plan agrees that the Area meets the Wilderness Act's guidelines regarding opportunities for solitude, opportunities for primitive recreation and challenging experiences (p. C-66), all of which attributes are clearly present in the Area.

f. The Area, together with the adjacent Bald Mountain Scenic Area, is the last, best chance for a truly outstanding black bear habitat in upper East Tennessee. Black bear require large wilderness type areas with mature trees for food and dens, and, at the same time, require a minimum of roads which bring poachers and habitat disruption. The Forest Plan agrees that the Area is "rugged, inaccessible country that lends itself well to bear management" and that "the bear population would benefit most under wilderness management" (p. C-59).

g. The Area contains several points of spectacular natural beauty including Buckeye Falls, reportedly the highest falls in the eastern United States at 476 feet, and Painter Creek Falls, also a large falls at around 200 feet.

h. Only the Area and Flint Mill provide unobstructed views out over the great Tennessee valley, and only in the Area does the Appalachian Trail provide those views.

i. The Area has received little attention from the standpoint of rare species research. However, it is likely that such a large area contains many rare species. Some uncommon species found adjacent to the Area include: Turkeybeard (*Xerophyllum asphodeloides*) and White Gay Wings (*Polygala paucifolia*). The Natural Heritage Division of the Tennessee Department of Conservation has further found several species adjacent to the Area which are on their "threatened" list: Witch Alder (*Fothergilla major*), Turkeybeard (*Xerophyllum asphodeloides*), Alumroot (*Heuchera longiflora*), John's Cabbage (*Hydrophyllum virginianum*), and Ginseng (*Panax quinquefolius*).

j. The Area provides an outstanding trout fishery.

k. Previous public support for the Area.

l. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

m. Watershed protection.

n. Baseline information.

o. Educational and research Area.

p. Diversity of tree species.

q. Diversity of plant habitat.

r. Diversity of animal habitat.

s. Recreation, including hiking, backpacking, hunting, fishing, birdwatching, and horseback riding.

t. The Area requires no "trade-offs" of other uses if it becomes wilderness (p. C-67).

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1. Area: Little Frog Mountain Wilderness Study Area.

2. Ranger District, County and Location: Ocoee District; Polk County; located northeast of Highway 64 approximately 15 miles east of Parksville, Tennessee.

3. Size and Boundaries: 4,800 acres using the boundaries enacted by Congress in designating the Area as a wilderness study area in 1984.

4. General Description: The Area is a completely forested and beautiful portion of the lower elevation Southern Appalachian Mountains. Dry Pond Lead and Little Frog Mountain form a horseshoe shaped crest that isolates Pressley Cove giving it a special wild character. The steep basin comprises most of the Area with the remainder being on the upper eastern face of Little Frog Mountain. Elevations vary from 1,230 feet above sea level at Rock Creek and the bottom of Pressley Cove to 3,322 feet at Sassafras Knob. Upland areas are hardwood while some of the lower and south facing slopes are pine. The bottom of the hollows and the cove are laurel thickets. Several small streams are located on the Area, with the most significant being Johnson Creek. Johnson Creek has naturally reproducing brook trout and is one of the southernmost locations for the species. Wildlife habitat on Little Frog is better than average for the Cherokee as a whole. Deer, grouse, boar and turkey are present. Hiking trails associated with the Area include Dry Pond Lead Trail, Rock Creek Trail and Laurel Branch Trail, although neither Laurel Branch Trail nor its fork to Boyd Gap are currently being maintained. Wildflowers abound in the Area in the spring and include two endangered species; Stonecrop and Saxifrage, with other rare species being found nearby. The Area is therefore well qualified for wilderness designation.

5. Rationale for Wilderness Designation:

a. The Area was designated by Congress as a Wilderness Study Area, with little or no opposition.

b. The Forest Plan agrees that the Area meets the Wilderness Act's guidelines of opportunities for primitive recreation and challenging experiences (p. C-80), each of which attributes the Area clearly possesses.

c. With regard to opportunities for solitude, one of the Wilderness Act guidelines for wilderness, the Forest Plan concedes some opportunity but also says that "disturbances from activities outside the boundaries may be heard in much of the area" (p. C-80). We have hiked the trails of the Area and must strongly disagree with the Forest Service's position. Civilized sounds, mainly automobiles, may sometimes be heard at the very edge of the Area, but by hiking a short distance into the Area, silence and solitude are easily available. Perfect isolation from sounds is, of course, never feasible in the eastern United States; if nothing else, an airplane will provide the noise. But, considering its location, the Area certainly meets all reasonable criteria for solitude.

d. The Forest Plan agrees that the Wilderness Act guideline of natural integrity and appearance is largely met by the Area (p. C-80). The statement that some evidence of human activities "is still visible" again should not prevent wilderness designation. Such evidence is very limited (including principally two grave sites, several game clearings, and a fire tower, all on the periphery of the Area), especially since the Area has been essentially managed as wilderness since at least the mid-1970's, and is not unusual for eastern United States wilderness areas in terms of such minor items.

e. The timber potential for the Area is low, as reflected by a DORS rating during RARE II of 4—this indicates a negative cost-benefit ratio. Further, the Forest Plan states that the Area is not "a very productive area for timber" with difficult access and some requirements of cable logging (p. C-82).

f. No "trade-offs" of current uses would be required by wilderness designation according to the Forest Plan (p. C-81).

g. The Area received a relatively high WARS rating of 19 during RARE II.

h. The Area is one of special scenic beauty. Although there are no single spectacular terrain features, the entire Area is a very pleasant natural environment with valleys, long ridges, creeks and mountains, and a trail system that allows easy access to the Area.

i. Although the Forest Service has not conducted an investigation of the Area for threatened and endangered species, it has been determined by the Natural Heritage Division of the Tennessee Department of Conservation that several such species are found either in the Area or nearby. These species include the following:

(i) Stonecrop (*Sedum nevii*)—candidate for Federal "endangered" list.

(ii) Loose Strife (*Lysimachia fraseri*)—listed by Heritage Division as "threatened."

(iii) Saxifrage (*Saxifraga careyana*)—candidate for Federal "threatened" list.

(iv) Southern Lobelia (*Lobelia amoena*)—listed by Heritage Division as "special concern."

(v) Chalk Maple (*Acer saccharum* sp. *leucoderme*)—listed by Heritage Division as "special concern."

(vi) Green Anole (*Anolis carolinensis*)—listed by Heritage Division as "deemed in need of management."

(vii) Goforth Creek Snail (*Mesodon archerii*)—listed by Heritage Division as "special concern."

(viii) Land Snail (*Heilcodiscus* sp.)—listed by Heritage Division as "special concern."

(ix) Ruth Golden Aster (*Heterotheca ruthii*)—although not confirmed by the Heritage Division, has been seen in the Area.

j. Many wilderness areas are truly hard to get to, i.e., Big Frog Mountain Wilderness whose only access is by dirt road. The Area is, however, located near a good paved highway, U.S. Route 64. Access can, of course, create management problems. However, with the Area management problems are minimized by the corridor formed by a power line between most of the proposed wilderness and the highway.

k. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

l. Watershed protection.

m. Baseline information.

n. Educational and research area.

o. Diversity of tree species.

p. Diversity of plant habitat.

q. Diversity of animal habitat.

r. Recreation, including hiking, backpacking, hunting, fishing, birdwatching and horseback riding.

s. The Forest Plan recommends the Area for wilderness protection.

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1. Area: Big Frog Mountain Wilderness Study Area.

2. Ranger District, County and Location: Ocoee District; Polk County; located east and north of the existing Big Frog Mountain Wilderness Area.

3. Size and Boundaries: Approximately 3,000 acres using the boundaries enacted by Congress in designating the Area as a wilderness study area in 1984.

4. General Description: The Area constitutes a portion of one of the most outstanding scenic and recreational areas in the entire Cherokee. It is adjacent to the Big Frog Mountain Wilderness Area and compliments the existing Wilderness Area by including several long ridges and valleys that lead up to the higher elevations on and near Big Frog Mountain. The Area is entirely covered by a rich and diverse forest which has been recently studied by Zack E. Murrell, a graduate student at the University of Tennessee. Even though the study was principally limited to the Big Frog Mountain Wilderness Area, the findings can give an idea of the richness of the flora of the entire Area. Eleven plants listed as endangered, threatened or special concern in Tennessee were found in the Wilderness Area. One of these plants, *Coreopsis latifolia*, is the first collection of the plant in Tennessee and is currently under consideration for Federal listing. The number of introduced plants found was only 4% of the total, indicating that this Area is remarkably undisturbed when compared to an average of 10% to 20% introduced plants in the southern Appalachians. Even though the Area is not as rugged as the Big Frog Mountain Wilderness Area, it does include several scenic ridges which radiate northward from the mountain. Two of these ridges, Licklog Ridge and Peavine Ridge, have trails which afford exciting vistas of Big Frog Mountain to the south and Little Frog Mountain to the north. The area also includes one major trout stream, Rough Creek, and several smaller streams. Further, Mr. Murrell found one species in the Area itself which is listed as endangered in Tennessee, *Thermopsis fraxinifolia*. The bedrock of the Area is formed from shale, sandstone and graywacke of the Ocoee Supergroup. This is a plate of partially metamorphosed sedimentary rock which comprises much of the southern Blue Ridge and extends north to the Great Smoky Mountains. The soils are fine textured and are derived from the parent bedrock. The Area is therefore an excellent and well qualified candidate for wilderness.

5. Rationale for Wilderness Designation:

a. The Area was designated as a Wilderness Study Area by Congress in 1984, without any significant opposition, thus indicating strong public support therefor.

b. The Forest Plan agrees that the Area meets the Wilderness Act's guidelines of natural integrity and appearance, opportunities for solitude, opportunities for primitive recreation, and challenging experiences (pp. C-12 through C-13).

c. There are no "trade-offs" of current uses if the Area becomes wilderness (p. C-13).

d. The Area is "not a very productive area for timber" according to the Forest Plan (p. C-14) and involves difficult access for timbering.

e. At least one species listed as endangered in Tennessee has been found in the Area—*Thermopsis fraxinifolia*. However, no real study of the Area has been made while the adjacent Big Frog Mountain Wilderness has recently been studied by Zack E. Murrell of the University of Tennessee. That study revealed at least eleven plants as endangered, threatened or of special concern in Tennessee and, because of the near-by location, some of those species are likely to be found in the Area. One plant found in the Wilderness, *Coreopsis latifolia*, was the first collection of that plant in Tennessee.

f. The Area contains portions of what is perhaps the best trail system in the entire Cherokee National Forest. Parts of at least 6 trails pass through the Area: Licklog Ridge Trail; Rough Creek Trail; East Fork Rough Creek Trail; West Fork Rough Creek Trail; Fork Ridge Trail; Big Frog Mountain Trail; and Yellow Stand Lead Trail.

g. The Forest Plan recommends the Area for wilderness protection.

h. The Area is an absolutely necessary and appropriate addition to the existing Big Frog Mountain Wilderness. The Big Frog Mountain Wilderness was designated by Congress in 1984 and protected, however, only the higher elevations of the Big Frog Mountain Area. Missing from that Bill were the lower elevations, peaks and valleys which lead up to the mountain tops. The two parts are both essential to a

truly outstanding wilderness for the southernmost Cherokee—both make up the whole.

i. The principal geographic features of the Area are three ridges, Peavine Ridge, Fork Ridge and Lick Log Ridge, and the valleys in between through which flow the West and East forks of Rough Creek. These ridges and valleys provide a protected approach to the Big Frog Mountain summit and will largely eliminate hiking through acres of clearcuts to get to the wilderness boundary.

j. Future need for additional wilderness in Tennessee, the Southeast, and the United States.

k. Watershed protection.

l. Baseline information.

m. Educational and research Area.

n. Diversity of tree species.

o. Diversity of plant habitat.

p. Diversity of animal habitat.

q. Recreation, including hiking, backpacking, hunting, fishing, birdwatching and horseback riding.

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PROPOSED ALTERNATIVE LANGUAGE FOR SECTION 4 (b) OF H.R. 5166, THE TENNESSEE WILDERNESS ACT OF 1986

(b) Appalachian National Scenic Trail—The establishment and nonmotorized maintenance of the Appalachian National Scenic Trail, as designated by Section 5(a)(1) of the National Trails System Act (16 U.S.C. 1244(a)(1)), is compatible with the wilderness designations of the lands described in Section 2 of this Act. Accordingly, the Secretary shall continue traditional management practices of any portion of the Appalachian Trail which passes through said areas, including trail marking, trail maintenance, and shelter maintenance. Management decisions in said regard should be developed in consultation and in coordination with the Appalachian Trail Conference and other interested organizations and individuals.

STATEMENT OF RONALD J. TIPTON, SOUTHEAST REGIONAL DIRECTOR, THE WILDERNESS SOCIETY

Mr. Chairman and members of the Subcommittee, The Wilderness Society appreciates the opportunity to testify on S. 2782, the Sipsey Wild and Scenic River and Sipsey Wilderness Addition Act. In addition, I have been authorized by the American Rivers Conservation Council to speak on their behalf in support of the Wild and Scenic River designations in S. 2782.

I am also submitting for the record our testimony before the House Public Lands Subcommittee in support of H.R. 5166, the Cherokee National Forest Wilderness bill. We urge this Committee and the full Senate to give speedy approval to S. 2685, a similar bill introduced by Senators Jim Sasser and Albert Gore.

I am particularly pleased that Senator Heflin has introduced S. 2782, and has expressed a strong interest in resolving the Sipsey Wilderness dispute. While we do not agree with all of the provisions of S. 2782, The Wilderness Society wants to work with Senator Heflin to pass legislation that is satisfactory to wilderness proponents, both Senators and to Rep. Flippo. Right now less than 3 percent of Alabama national forest lands are in wilderness, a smaller amount than most other states in the South.

We support the Wild and Scenic River designation in S. 2782, and commend Senator Heflin for his efforts to protect the Sipsey Fork, West Fork watershed. We request that a 1.5 mile segment of Montgomery Creek from its headwaters down to Borden Creek be added to the Wild and Scenic designation in Section 101 of the bill. With this amendment all of the Wild and Scenic River segments recommended by the Forest Service in the final Alabama national forest land management plan would be included in S. 2782.

We strongly prefer the larger boundaries for the Sipsey wilderness addition in Rep. Flippo's bill (H.R. 5508) to the smaller expansion called for in S. 2782. H.R. 5508 would designate approximately 5-6,000 acres as wilderness in the Thompson Creek watershed which are not included in S. 2782, and which are vital to the overall preservation of the Sipsey Fork watershed. Most importantly, we urge the Senate to add the 800 acres excluded from S. 2782 which were part of the agreement

reached between the Alabama Forestry Association and the Alabama Wilderness Coalition on an acceptable Sipsey Wilderness addition.

The Wilderness Society is very concerned about the language in Section 201(c) of S. 2782 which would amend the Wilderness Act to authorize the Secretary of Agriculture to "take such actions as deemed necessary" in the Sipsey Wilderness and the Sipsey Wilderness Addition to control pine beetle infestations. This language is inconsistent with the spirit and intent of the Wilderness Act in that it would not require the Forest Service to consider the impacts on wilderness of its pine beetle control program. Moreover, the language would have the effect of superseding pending litigation and the Forest Service's own draft environmental impact statement on pine beetle control in the Southeast which is now out for public review. We are virtually certain the House-passed bill will not contain this provision and we do not believe the House will agree to this type of language. We believe it would be appropriate for the Committee to include report language that addresses pine beetle control so long as the language does not direct the Forest Service to waive existing law or to ignore the potential impacts on wilderness of timber cutting to control beetle infestations.

We also must object to Section 201(d) of S. 2782, which would require the Forest Service to keep open for motorized uses Forest Service Road 208 (the so-called Northwest Road) inside the boundaries of the Sipsey Wilderness Addition. This would be contrary to the overall intent of this bill, which is to preserve additional lands in their natural state. Furthermore, the Forest Service itself has indicated it wants to close this road within the boundaries of the proposed Sipsey Wilderness Addition. We request Section 201(d) be deleted from S. 2782.

Section 201(g) would permit "continued use of horse drawn vehicles" in the Sipsey Wilderness Addition. This is inconsistent with the Wilderness Act's prohibition on "mechanical transport" within designated wilderness areas. This language, contained in Section 4(c) of the Wilderness Act, has been interpreted by the Forest Service to exclude bicycle use in wilderness. We urge the Committee to delete Section 201(g).

Finally, we do not understand the purpose of Section 201(e) of S. 2782, which would amend the Wilderness Act to direct the Forest Service "to identify and correct any harmful conditions causing injurious water quality" within the designated wilderness area. We would like to see that language deleted as well.

Again, I want to state The Wilderness Society's willingness to work with this Committee and with both Senators Heflin and Denton to complete action on Sipsey wilderness legislation this Congress. I will be pleased to address any questions the Subcommittee has.

Thank you very much.

[The following statement was submitted by Ronald J. Tipton, the Wilderness Society:]

STATEMENT OF MICHAEL D. SCOTT, DEPUTY DIRECTOR, CONSERVATION, THE
WILDERNESS SOCIETY ON H.R. 5166, CHEROKEE WILDERNESS BILL

The Wilderness Society is pleased to support H.R. 5166, a bill to designate approximately 33,735 acres in the Cherokee National Forest as wilderness. I am Michael Scott, Deputy Director for Conservation Programs and I am here today on behalf of the Society's 160,000 members to urge swift enactment of H.R. 5166.

The Wilderness Society would like to commend Representatives James Quillen and John Duncan for co-sponsoring this legislation, which would designate six new wilderness areas in the Cherokee National Forest. Four of the areas are in the northern half of the Cherokee, which does not have a single acre in the National Wilderness Preservation System. When these areas are added to the current wilderness acreage in the Cherokee, there will be a total of about 66,000 acres of wilderness, or about 11 percent of the Forest.

All of the areas in the Quillen-Duncan bill have been recommended for wilderness by the Forest Service in its final management plan for the Cherokee. While we have strong reservations about many provisions of the plan and have initiated an appeal to the Chief of the Forest Service, we are pleased the Forest Service recommended these six areas as wilderness. They are all superb areas, and are quite representative of the great natural diversity and scenic beauty of the Cherokee and the Southern Appalachian region.

Four of the areas—Unaka Mountain, Sampson Mountain, Pond Mountain, and Big Laurel Branch—are either crossed by or are adjacent to the Appalachian National Scenic Trail. These areas feature the lofty ridges, steep slopes, tumbling

mountain streams and waterfalls, and magnificent cove and upland hardwood forests that have made the southern section of the Trail so popular.

We would like to recommend one amendment to H.R. 5166. Section 4(b) sets forth special language pertaining to management of the Appalachian Trail within the wilderness areas designated by the bill. We believe, as the bill states, that the Trail is compatible with wilderness, that the use of trail signs and markings in wilderness is acceptable, and that the continued maintenance of trail shelters, rustic footbridges, waterbars to control erosion, etc. is also acceptable.

However, we do not agree with the wording of Section 4(b)(2) which would authorize "the maintenance and reconstruction of shelters and other trail-related structures." The term "reconstruction" could be interpreted to mean that a trail shelter could be completely rebuilt to a larger size and capacity than existed previously. In our view, this would not be appropriate in wilderness.

We recommend that the Subcommittee substitute the following Appalachian Trail management language which is also supported by the Cherokee Wilderness Coalition. This language is consistent with report language concerning management of the Appalachian Trail adopted by Congress when it passed the North Carolina and Virginia wilderness bills of 1984. The Appalachian Trail Conference and the environmental community developed this language in order to assure that expansion of the wilderness system along the Appalachian Trail will not impair the continued enjoyment and proper management of the Trail. It makes sense to adopt the same language for Appalachian Trail management in wilderness in Tennessee as has already been approved by Congress for North Carolina and Virginia.

"Sec. 4(b)(2)—The establishment and nonmotorized maintenance of the Appalachian National Scenic Trail, as designated by section 5(a)(1) of the National Trails System Act (16 U.S.C. 1244(a)(1)), is compatible with the wilderness designations of the lands described in section 2 of this Act. Accordingly, the Secretary shall continue traditional management practices of any portion of the Appalachian Trail which passes through said areas, including trail marking, trail maintenance, and shelter maintenance. Management decisions in said regard should be developed in consultation and in coordination with the Appalachian Trail Conference and other interested organizations and individuals."

We further recommend that the Committee report language covering the Appalachian Trail contained in last Congress' Tennessee wilderness bill, as well as the wilderness bills for Virginia, North Carolina, and New Hampshire, be included in the report covering H.R. 5166.

H.R. 5166 adds lands to the Big Frog Wilderness and the Little Frog Mountain wilderness. Portions of the Benton MacKaye Trail go through both the areas and the proposed additions. Last Congress' Tennessee wilderness bill contained report language covering the MacKaye Trail in those two areas. We recommend that this language also be included in the report on H.R. 5166.

The Wilderness Society urges the Subcommittee to take speedy and favorable action on H.R. 5166. We will be happy to work with the Subcommittee to resolve our concerns about Section 4(b).

Thank you very much.

STATEMENT OF JOHN N. RANDOLPH, DIRECTOR OF NATURAL AREA PRESERVATION,
BIRMINGHAM AUDUBON SOCIETY

Mr. Chairman: It is my great pleasure to appear today on behalf of the 1,300 members of the Birmingham Audubon Society, to express our strong and enthusiastic support for the proposed National Wild and Scenic River and National Wilderness area designations contained in S. 2782, by Alabama Senator Howell Heflin. This legislation, which seeks to establish Alabama's first—and only—National Wild and Scenic River and to expand its first National Wilderness Area, represents the culmination of a long and often difficult process leading towards a final resolution of the RARE II issue in Alabama. Senator Heflin deserves the gratitude of every Alabamian for his sponsorship of this historic legislation. Likewise, Senator Jeremiah Denton is due strong commendation for his leadership in the negotiations leading up to the development of this proposal.

The designations contained in S. 2782 are clearly in the best interest of the people of Alabama. Through its proposed mix of Wilderness and Wild and Scenic River, coupled with the "semi-primitive" administrative designations contained in the current Alabama National Forest Management Plan, this legislation provides protection for the entire upper watershed of the West Fork of the Sipsey Fork, thereby preserving for future generations an ecosystem unique in the Southeast, and help-

ing protect a municipal watershed serving Alabama's most populous region. Business interests that rely on Alabama's National Forests for commercial timber will also benefit by a successful resolution of S. 2782, as our state's RARE II issue will at long last be concluded and management of the state's National Forests will be stabilized for the foreseeable future. And yet, the lands preserved by the bill will amount to less than $\frac{1}{10}$ of 1 percent of Alabama's abundant commercial forests.

With respect to some of S. 2782's specific provisions, we would like to offer the following comments:

Section 201(a) identifies approximately 10,070 acres as Sipsey Wilderness Additions. In 1985, Alabama conservation groups reached a broad agreement with the state's timber industry for resolving the RARE II dispute. This agreement proposed Wilderness designation for the same acreage as contained in S. 2782, plus an additional 820 acres on the southeastern side, for a total of 10,890 acres. We understand and appreciate the desire to provide access to families having loved ones buried in the Bunyan Hill Cemetery, and we urge you to consult with the Forest Supervisor's office for the National Forests in Alabama, which has developed a proposal that would leave the "Bunyan Hill Road," Forest Service Road 224, open to its intersection with Borden Creek. If this proposal is followed, the problem of access to the cemetery will be permanently resolved, there will be a major trail-head and access point at Borden Creek, and the excluded 820 acres can be restored to Wilderness designation. We do support Wilderness designation for the full 10,890 acres contained in our agreement with the timber industry.

Section 201(d) proposes leaving the "Northwest Road," Forest Service Road 208, open to vehicular traffic through the Sipsey Wilderness Additions. It is true that we supported a similar provision in the 1982 and 1983 Wilderness legislation sponsored by Alabama Congressman Ronnie Flippo. However, those bills contained a substantially larger Wilderness proposal—some 28,500 acres to be added to the existing 12,700 acres, for a total of 41,200 acres—and leaving the Northwest Road open was desirable for the purpose of distributing use and access throughout the large new Wilderness. However, S. 2782's Wilderness acreage is much smaller and the amount of road involved is only some 3 miles. We believe that closing Forest Service Road 208 for this short distance would be in the best interest of protecting the Wilderness values of the Sipsey, and ask that this change be adopted.

As you know, Mr. Chairman, Rep. Ronnie Flippo has sponsored similar legislation in the House, H.R. 5508, which proposes an addition to the Sipsey Wilderness expansion of some 5,000 acres, located on the east side of the Thompson Creek RARE II area. We strongly urge your consideration of this additional acreage. Its boundaries have been drawn to exclude all private "inholdings" within the Thompson Creek area, as well as the great majority of marketable pine stands. It extends the highest protection afforded by law to the watershed of Thompson Creek, perhaps the most pristine of all the proposed Sipsey expansion lands, and achieves a fairer balance between developmental and conservation interests.

But most importantly, Mr. Chairman, we strongly urge that all of the affected members of Alabama's Congressional delegation join together to seek a prompt resolution of the differences between this Senate legislation and the companion House version. We are certain that if an agreement can be reached within the delegation, it will be supported by all reasonable interests in Alabama, and we offer our full cooperation in support of the delegation to that end. A lasting resolution of the Alabama Wilderness dispute is today within our grasp, and it would be an enormous disservice to the people of Alabama if this session of Congress were to end with yet one more failed Sipsey Wilderness Bill. Thank you very much.

STATEMENT OF DR. JAMES L. TAYLOR

My name is James L. Taylor. I am grateful to have the opportunity to appear before the Subcommittee to testify today concerning The Sipsey Wild and Scenic River and Sipsey Wilderness Addition Act of 1986, S. 2782. I would like to thank Senator Heflin for his conscientious efforts and leadership in putting together and introducing this important legislation.

I am an associate professor in the College of Commerce and Business Administration at The University of Alabama. Subjects which I teach include natural resource conservation, salesmanship, and sales management. Before I assumed my duties at The University of Alabama, I taught at Texas A&M University.

I earned my Ph.D from the University of South Carolina. My area of specialization is marketing. Prior to undertaking my doctoral studies, I spent 12 years as an

officer in the United States Marine Corps. I resigned my commission from the Corps in 1974, having attained the rank of major.

I am the vice chair of the Alabama Chapter of the Sierra Club, a nationwide environmental organization. In addition, I am secretary of The Alabama Conservancy, a statewide environmental organization. I speak today on behalf of these environmental organizations and their members throughout the state of Alabama.

I would like to express our support of The Wild and Scenic River and Sipsey Wilderness Addition Act of 1986, S. 2782. The proposed bill should serve as an important framework for resolving the long standing dispute over expansion of this beautiful and pristine natural area. Senator Heflin deserves the appreciation and respect of all Alabamians for his initiative in proposing this important legislation.

There is widespread support for the Sipsey expansion in Alabama—support that is understandable given the fact that the area represents the last major stands of old hardwood forest remaining in Alabama and is characterized by unparalleled scenic beauty. The major hardwood species in the Sipsey area are red oak, white oak, hickory, and yellow poplar. The major scenic attractions are the deeply carved hardwood canyons, cove areas along free-flowing streams, majestic, vertical rock bluffs, and numerous waterfalls. These old hardwood stands and scenic attractions are part of Alabama's natural heritage and should be preserved for all Alabamians and, in fact, all Americans.

The Sipsey area certainly ranks as one of the finest facilities in the southeast for camping, hiking, canoeing, and other outdoor activities. Colleges and public schools use the Sipsey area for environmental education, wilderness appreciation experiences, and ecological research. It serves as an outdoor laboratory to study wildlife habitat and ecological processes and as a control area for biological research comparing "natural" with "managed" areas. If the area's wilderness nature is destroyed through commercial logging, it can never be recaptured. It is lost forever. With it goes opportunities for recreation, ecological research, wildlife preservation, and tourism. Do we not have the obligation to future generations to protect wild places such as the Sipsey in order that our children and grandchildren will be able to know and enjoy them tomorrow? I hope that you will agree that we do.

Alabama's wilderness areas are very small in comparison with Alabama's total commercial forestland (less than $\frac{1}{10}$ of 1 percent). Likewise, they are small compared to the wilderness areas of many other states. Yet, in 1984, all the southern states surrounding Alabama enacted major new wilderness designations (a total of 353,000 acres). It is unfortunate that Alabama was not among these states.

It is time to put to rest this long-running controversy surrounding Alabama's Sipsey expansion. S. 2782 will, as Senator Heflin has stated in his introduction of the bill, "serve as a basis for reaching a balanced approach to both rounding out the Alabama wilderness system and releasing areas to nonwilderness management." Representatives of the conservation community in Alabama stand ready to do whatever we can to bring this issue to a fair and equitable resolution for all parties.

Legislation similar to S. 2782 has been proposed in the House of Representatives (H.R. 5508). These proposed bills are alike in many ways. Both bills address the major concerns expressed by the timber industry regarding large pine stands in the western part of the Thompson Creek RARE II area. The proposed acts exclude this part of the Thompson Creek area from wilderness designation. Both proposals allow for significant increases in the harvesting of timber in the Bankhead National Forest over the next 10 years. The U.S. Forest Service estimates an annual harvest increase from 17.8 million board feet to an average 29.6 million board feet over this 10 year period; that is, the annual timber harvest is estimated to increase 66 percent. The proposed wilderness plan will only minimally reduce this amount. Both S. 2782 and H.R. 5508 remove all privately owned land within the Thompson Creek RARE II area from wilderness designation. The bills also protect, not all, but at least a substantial portion of, the important watershed that serves to maintain the quality of the water supply of Jasper, Alabama and part of the water supply of Birmingham, Alabama.

One difference between the two proposals is that S. 2782 does not include the eastern part of the Thompson Creek RARE II area (approximately 5,000 acres) as wilderness. Conservationists prefer that this area be included in the wilderness proposal. To do so would preserve for this and future generations the very best of the wild and scenic character of the Sipsey area. For those of us who know and love the Sipsey, the territory designated for statutory protection in S. 2782 and the eastern part of Thompson Creek are the areas that should, by their very nature, be protected. This represents the very heart of the wilderness area in the Bankhead National Forest. It is my sincere hope that the small differences between S. 2782 and H.R.

5508 can be resolved in the spirit of gentlemanly compromise that characterizes the great American political system.

CONCLUSION

S. 2782 will not significantly reduce the planned increase in timber harvesting in the Bankhead National Forest. It will increase wilderness opportunities, increase opportunities for the tourist industry in the local area, increase protection for the proposed Wild and Scenic River, and protect the water quality of an important part of Alabama. It will increase opportunities for scientific and educational study.

I thank the Subcommittee for its attention to my testimony today. I urge you to quickly and favorably report S. 2782 to the Agriculture, Nutrition and Forestry Committee of the Senate. I pledge to you Senator Heflin, and to all the members of the Subcommittee, any help you so desire from Alabama's conservation community in dealing with this important legislation.

STATEMENT OF DR. CHARLES S. PRIGMORE, PROFESSOR EMERITUS, UNIVERSITY OF ALABAMA

Mr. Chairman: My interest in this legislation stems from my activities in working for the original establishment of the Sipsey Wilderness, as President of the Alabama Conservancy in 1970-1972. I recall taking former Senator John Sparkman on a trip to the proposed wilderness in 1971, and meeting frequently with the Forest Service, Department of Agriculture during that period.

More recently, in 1985 and 1986, I have tried to mediate between the environmental and forestry interests to work toward a mutually acceptable bill that would expand the Sipsey Wilderness with the least possible detriment to jobs in Northwest Alabama. All told, I have participated in almost a dozen meetings in Washington, Montgomery and Birmingham, acting as a catalyst for compromise and conciliation. I have particularly urged conservationists and environmentalists to be moderate in their requests, and have worked together with forestry interests to protect their livelihood, while pointing out the need for wilderness expansion.

Ideally, the majority of Alabamians would prefer to include 5000 acres on the East Side of Thompson Creek, in addition to the 10,070 acres of additional wilderness provided for in S. 2782. Ideally, also, a wilderness area of approximately 8000 acres should be set aside in the Dugger Mountain area to provide East Alabamians with better access to wilderness experiences.

However, the most urgent task before us today is to get a bill enacted in the short time remaining in the 2nd Session of the 99th Congress, one which will meet the needs and aspirations of the various interests involved. These interests, particularly the environmental and forestry interests, both accept S. 2782. The Forest Service of the Department of Agriculture has proposed S. 2782 as a feasible compromise. It is certainly less than ideal to the environmentalists but perhaps more than forestry people would like. In sum, it is the kind of compromise that is inevitable in our democratic society, as the Congress tries to deal with competing interest groups.

I strongly recommend immediate passage of S. 2782.

99TH CONGRESS
2D SESSION

S. 2685

To designate certain lands in the Cherokee National Forest in the State of Tennessee as wilderness areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 24 (legislative day, JULY 21), 1986

Mr. SASSER (for himself and Mr. GORE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To designate certain lands in the Cherokee National Forest in the State of Tennessee as wilderness areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tennessee Wilderness
5 Act of 1986".

6 **SEC. 2. DESIGNATION OF WILDERNESS AREAS.**

7 In furtherance of the purposes of the Wilderness Act (16
8 U.S.C. 1131 et seq.), the following lands in the Cherokee
9 National Forest in the State of Tennessee are hereby desig-

1 nated as wilderness and, therefore, as components of the Na-
2 tional Wilderness Preservation System:

3 (1) certain lands which comprise approximately
4 6,665 acres, as generally depicted on a map entitled
5 "Pond Mountain Wilderness—Proposed and Pond
6 Mountain Addition Wilderness—Proposed", dated July
7 15, 1986, and which shall be known as the Pond
8 Mountain Wilderness;

9 (2) certain lands which comprise approximately
10 6,251 acres, as generally depicted on a map entitled
11 "Big Laurel Branch Wilderness—Proposed", dated
12 July 15, 1986, and which shall be known as the Big
13 Laurel Branch Wilderness;

14 (3) certain lands which comprise approximately
15 4,700 acres, as generally depicted on a map entitled
16 "Unaka Mountain Wilderness—Proposed", dated
17 July 15, 1986, and which shall be known as the
18 Unaka Mountain Wilderness;

19 (4) certain lands which comprise approximately
20 8,319 acres, as generally depicted on a map entitled
21 "Sampson Mountain Wilderness—Proposed", dated
22 July 15, 1986, and which shall be known as the
23 Sampson Mountain Wilderness;

24 (5) certain lands which comprise approximately
25 4,800 acres, as generally depicted on a map entitled

1 "Little Frog Mountain Wilderness—Proposed", dated
2 July 15, 1986, and which shall be known as the Little
3 Frog Mountain Wilderness; and

4 (6) certain lands which comprise approximately
5 3,000 acres, as generally depicted on a map entitled
6 "Big Frog Extension Wilderness—Proposed", dated
7 July 15, 1986, and which shall be combined with the
8 now existing Big Frog Wilderness and known as the
9 Big Frog Wilderness.

10 **SEC. 3. MAPS AND DESCRIPTIONS.**

11 As soon as practicable after the date of enactment of
12 this Act, the Secretary of Agriculture shall file a map and
13 legal description of each wilderness area designated by this
14 Act with the Committee on Interior and Insular Affairs and
15 the Committee on Agriculture of the United States House of
16 Representatives and with the Committee on Agriculture, Nu-
17 trition, and Forestry of the United States Senate. Each such
18 map and description shall have the same force and effect as if
19 included in this Act, except that correction of clerical and
20 typographical errors in each such map and description may
21 be made by the Secretary. Each such map and description
22 shall be on file and available for public inspection in the
23 Office of the Chief of the Forest Service, Department of
24 Agriculture.

1 SEC. 4. ADMINISTRATION OF WILDERNESS.

2 (a) IN GENERAL.—Subject to valid existing rights, each
3 wilderness area designated by this Act shall be administered
4 by the Secretary of Agriculture in accordance with the provi-
5 sions of the Wilderness Act governing areas designated by
6 that Act as wilderness, except that any reference in such
7 provisions to the effective date of the Wilderness Act shall be
8 deemed to be a reference to the date of enactment of this
9 Act.

10 (b) APPALACHIAN NATIONAL SCENIC TRAIL.—The
11 establishment and nonmotorized maintenance of the Appa-
12 lachian National Scenic Trail, as designated by section
13 5(a)(1) of the National Trails System Act (16 U.S.C.
14 1244(a)(1)), is compatible with the wilderness designations of
15 the lands described in section 2 of this Act. In the manage-
16 ment of the Appalachian National Scenic Trail within the
17 wilderness areas designated by this Act, the Secretary of Ag-
18 riculture is authorized to permit—

- 19 (1) the use of trail signs and markings;
- 20 (2) the maintenance and reconstruction of shelters
21 and other trail-related structures existing on the date
22 of enactment of this Act; and
- 23 (3) the construction, reconstruction, and mainte-
24 nance of rustic footbridges, waterbars, and other struc-
25 tures necessary or desirable for resource protection and
26 public safety on the trail and side trails.

1 SEC. 5. EFFECT OF RARE II.

2 (a) FINDINGS.—The Congress finds that—

3 (1) the Department of Agriculture has completed
4 the second roadless area review and evaluation pro-
5 gram (RARE II); and6 (2) the Congress has made its own review and ex-
7 amination of National Forest System roadless area in
8 Johnson, Carter, Sullivan, Unicoi, Washington,
9 Greene, Cocke, and McMinn Counties, Tennessee, and
10 of the environmental impacts associated with alterna-
11 tive allocations of such areas.12 (b) REVIEW AND RELEASE.—On the basis of such
13 review, the Congress hereby determines and directs that—14 (1) without passing on the question of the legal
15 and factual sufficiency of the RARE II final environ-
16 mental statement (dated January 1979) with respect to
17 the National Forest System lands other than in John-
18 son, Carter, Sullivan, Unicoi, Washington, Greene,
19 Cocke, and McMinn Counties, Tennessee, such state-
20 ment shall not be subject to judicial review with re-
21 spect to National Forest lands in Johnson, Carter, Sul-
22 livan, Unicoi, Washington, Greene, Monroe, Polk,
23 McMinn, and Cocke Counties, Tennessee;24 (2) with respect to the National Forest System
25 lands in Johnson, Carter, Sullivan, Unicoi, Washing-
26 ton, Greene, Cocke, and McMinn Counties, Tennessee,

1 which were reviewed by the Department of Agriculture
2 in the second roadless area review and evaluation
3 (RARE II) and those lands referred to in subsection
4 (d), except those lands designated for wilderness study
5 upon enactment of this Act, that review and evaluation
6 or reference shall be deemed for the purposes of the
7 initial land management plans required for such lands
8 by the Forest and Rangeland Renewable Resources
9 Planning Act of 1974, as amended by the National
10 Forest Management Act of 1976, to be an adequate
11 consideration of the suitability of such lands for inclu-
12 sion in the National Wilderness Preservation System
13 and the Department of Agriculture shall not be re-
14 quired to review the wilderness option prior to the re-
15 visions of the plans, but shall review the wilderness
16 option when the plans are revised, which revisions will
17 ordinarily occur on a ten-year cycle, or at least every
18 fifteen years, unless, prior to such time, the Secretary
19 of Agriculture finds that conditions in a unit have sig-
20 nificantly changed;

21 (3) areas in Johnson, Carter, Sullivan, Unicoi,
22 Washington, Greene, Monroe, Polk, McMinn, and
23 Cocke Counties, Tennessee, reviewed in such final en-
24 vironmental statement or referenced in subsection (d)
25 and not designated as wilderness or for wilderness

1 study upon enactment of this Act shall be managed for
2 multiple use in accordance with land management
3 plans pursuant to section 6 of the Forest and Range-
4 land Renewable Resources Planning Act of 1974, as
5 amended by the National Forest Management Act of
6 1976: *Provided*, That such areas need not be managed
7 for the purpose of protecting their suitability for wilder-
8 ness designation prior to or during the revision of the
9 initial land management plans; and

10 (4) in the event that revised land management
11 plans in Johnson, Carter, Sullivan, Unicoi, Washing-
12 ton, Greene, Monroe, Polk, McMinn, and Cocke Coun-
13 ties, Tennessee, are implemented pursuant to section 6
14 of the Forest and Rangelands Renewable Resources
15 Planning Act of 1974, as amended by the National
16 Forest Management Act of 1976, and other applicable
17 law, areas not recommended for wilderness designation
18 need not be managed for the purpose of protecting
19 their suitability for wilderness designation prior to or
20 during revision of such plans, and areas recommended
21 for wilderness designation shall be managed for the
22 purpose of protecting their suitability for wilderness
23 designation as may be required by the Forest and
24 Rangeland Renewable Resources Planning Act of

1 1974, as amended by the National Forest Management
2 Act of 1976, and other applicable law.

3 (c) REVISION.—As used in this section, and as provided
4 in section 6 of the Forest and Rangeland Renewable Re-
5 sources Planning Act of 1974, as amended by the National
6 Forest Management Act of 1976, the term “revision” shall
7 not include an “amendment” to a plan.

8 (d) CERTAIN AREAS LESS THAN 5,000 ACRES IN
9 SIZE.—The provisions of this section shall also apply to Na-
10 tional Forest System roadless lands in Johnson, Carter, Sul-
11 livan, Unicoi, Washington, Greene, Monroe, Polk, McMinn,
12 and Cocke Counties, Tennessee, which are less than 5,000
13 acres in size.

14 **SEC. 6. TERMINATION OF WILDERNESS STUDY.**

15 The designations of the Little Frog Wilderness Study
16 Area and the Big Frog Study Area pursuant to section 6 of
17 the Act of October 30, 1984 (98 Stat. 3090), are terminated,
18 and the Secretary of Agriculture shall have no further obliga-
19 tion to study such areas for wilderness.

99TH CONGRESS
2D SESSION

S. 2782

To designate the Sipsey River as a component of the National Wild and Scenic Rivers System, to designate certain areas as additions to the Sipsey Wilderness, and to preserve over thirty thousand acres of pristine natural treasures in the Bankhead National Forest for the aesthetic and recreational benefit of future generations of Alabamians, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 15 (legislative day, AUGUST 11), 1986

Mr. HEFLIN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To designate the Sipsey River as a component of the National Wild and Scenic Rivers System, to designate certain areas as additions to the Sipsey Wilderness, and to preserve over thirty thousand acres of pristine natural treasures in the Bankhead National Forest for the aesthetic and recreational benefit of future generations of Alabamians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Sipsey Wild and Scenic
4 River and Sipsey Wilderness Addition Act of 1986".

1 TITLE I—WILD AND SCENIC RIVER

2 DESIGNATION

3 SEC. 101. Section 3(a) of the Wild and Scenic River
4 Act (82 Stat. 906, as amended; 16 U.S.C. 1274(a)) is amend-
5 ed by adding the following new paragraph:

6 “() SIPSEY FORK, WEST FORK, ALABAMA—The
7 segment of the main stem from the confluence with Sandy
8 Creek upstream to its origin at the confluence of Thompson
9 Creek and Hubbard Creek; the segment of Hubbard Creek
10 from its confluence with Thompson Creek upstream to Forest
11 Service road numbered 210; Thompson Creek from its con-
12 fluence with Hubbard Creek upstream to its source in section
13 4 of township 8 south, range 9 west; Tedford Creek from the
14 confluence with Thompson Creek upstream to section 17 of
15 township 8 south, range 9 west; Mattox Creek from the con-
16 fluence with Thompson Creek upstream to its source in sec-
17 tion 36 of township 7 south, range 9 west; the segment of
18 Border Creek from the confluence with the Sipsey Fork up-
19 stream to the confluence with Montgomery Creek; the seg-
20 ment of Flannigan Creek from the confluence with Borden
21 Creek upstream to the south boundary of section of township
22 8 south, range 8 west; Braziel Creek from the confluence
23 with Border Creek upstream to its source in section 12 of
24 township 8 south, range 9 west; and the segment of Hogood
25 Creek from the confluence with Braziel Creek upstream to

1 the confluence with an unnamed tributary in section 7 of
2 township 8 south, range 8 west; as generally depicted on a
3 map entitled 'Sipsey Fork, West Fork Wild and Scenic
4 River' which is on file and available for public inspection in
5 the office of the Chief, Forest Service, United States Depart-
6 ment of Agriculture; to be administered by the Secretary of
7 Agriculture."

8 (b) Notwithstanding the provisions of this Act or of law,
9 the Secretary of Agriculture is authorized and directed to
10 construct a dam to establish a substantial lake of eight hun-
11 dred to one thousand surface acres in size for all types of
12 recreational use within the Bankhead National Forest, in
13 either Brushy Creek or Flint Creek watershed.

14 (c) Notwithstanding the provisions of this Act or of law,
15 the Secretary is authorized and directed to construct a paved
16 road from an appropriate public highway to the lake estab-
17 lished in section 101(b) of this Act.

18 (d) Notwithstanding the provisions of this Act or of law,
19 the Secretary is authorized and directed to construct suffi-
20 cient recreational facilities, including, but not limited to,
21 camp sites, picnic areas, and boat launching ramps, adjacent
22 to and surrounding the lake established in section 101(b) of
23 this Act.

24 (e) Notwithstanding the provisions of this Act or of law,
25 including the Wild and Scenic Rivers Act, the Secretary is

1 authorized and directed to install procedures and mechanism,
2 in the southern most area of the Sipsey Fork Wild and Scenic
3 River Designation, to acquire sufficient water quality infor-
4 mation to monitor the waters flowing toward and into Smith
5 Lake and the Secretary of Agriculture is directed to take all
6 actions, including preventative maintenance, necessary to
7 control any conditions causing injurious water quality.

8 TITLE II—WILDERNESS DESIGNATION

9 SEC. 201. (a) In furtherance of the purpose of the Wil-
10 derness Act of 1964 (16 U.S.C. 1131), certain National
11 Forest System lands located within the William B. Bankhead
12 National Forest, Alabama, which comprise approximately ten
13 thousand and seventy acres, as are generally depicted on a
14 map prepared by the Forest Service, Department of Agricul-
15 ture entitled "Sipsey Wilderness Additions," dated March
16 , 1986 (on file in the Office of the Chief of Forest Service,
17 Department of Agriculture), are hereby designated as wilder-
18 ness and shall be incorporated in and deemed a part of the
19 Sipsey Wilderness as designated by Public Law 93-622.

20 (b) Subject to valid existing rights, wilderness designat-
21 ed by this Act shall be administered by the Secretary of Agri-
22 culture in accordance with the provisions of the Wilderness
23 Act of 1964: *Provided*, That any reference in such provisions
24 to the effective date of the Wilderness Act shall be deemed to
25 be a reference to the effective date of this Act.

1 (c) Notwithstanding the provisions of this Act or of law,
2 including the Wilderness Act of 1964 (Public Law 93-622),
3 the Secretary of Agriculture shall take such actions as
4 deemed necessary to control the spread and minimize the
5 impact of the Southern Pine Beetle within the Sipsey Wilder-
6 ness, Sipsey Wilderness Additions, and adjacent Bankhead
7 National Forest, including any areas herein designated as
8 Wild and/or Scenic River lands, which actions will be under-
9 taken with the intention of endeavoring to eradicate the pres-
10 ence of such Southern Pine Beetle, and thereafter shall take
11 preventative maintenance measures to control the spread of
12 the Southern Pine Beetle.

13 (d) Notwithstanding the provisions of this Act or of law,
14 the Secretary shall allow public access, including the use of
15 motorized vehicles, to the existing Forest Service road 208
16 within the Sipsey Wilderness Addition, to allow ease of
17 access to the Wilderness for the elderly, handicapped, and
18 the young.

19 (d) Notwithstanding the provisions of this Act or of law,
20 including the Wilderness Act of 1964 (Public Law 93-622),
21 the Secretary of Agriculture shall take such actions as
22 deemed necessary within the designated wilderness area, in-
23 cluding preventative maintenance, to identify and correct any
24 harmful conditions causing injurious water quality as deter-

1 mined by the procedures and mechanisms established in sec-
2 tion 101(d) of this Act.

3 (f) Notwithstanding the provisions of this Act or of law,
4 including the Wilderness Act of 1964 (Public Law 93-622),
5 the Secretary of Agriculture shall convert other existing
6 roads within the Sipsey Wilderness Addition into suitable
7 hiking or horse trails. Such work may include the removal of
8 culverts, installation of grade dips and ditch stabilization. The
9 use of mechanized equipment shall be authorized for such
10 conversion work.

11 (g) The Secretary shall permit continued use of horse
12 drawn vehicles on routes designated by the Secretary in the
13 Sipsey Wilderness Addition.

14 SEC. 202. (a) The Congress finds that—

15 (1) the Department of Agriculture has completed
16 the second Roadless Area Review and Evaluation Pro-
17 gram (RARE II); and

18 (2) the Congress has made its own review and ex-
19 amination of National Forest System roadless areas in
20 Alabama and of the environmental impacts associated
21 with alternative allocations of such areas.

22 (b) On the basis of such review, the Congress hereby
23 determines and directs that—

24 (1) without passing on the question of the legal
25 and factual sufficiency of the RARE II final environ-

1 mental statement (dated January 1979) with respect to
2 National Forest System lands in States other than Ala-
3 bama, such statement shall not be subject to judicial
4 review with respect to National Forest System lands in
5 the State of Alabama;

6 (2) with respect to the National Forest System
7 lands in the State of Alabama which were reviewed by
8 the Department of Agriculture in the second Roadless
9 Area Review and Evaluation (RARE II) and those
10 lands referred to in subsection (d), that review and
11 evaluation or reference shall be deemed for the pur-
12 poses of the initial land management plans required for
13 such lands by the Forest and Rangeland Renewable
14 Resources Planning Act of 1974, as amended by the
15 National Forest Management Act of 1976, to be ade-
16 quate consideration of the suitability of such lands for
17 inclusion in the National Wilderness Preservation
18 System and the Department of Agriculture shall not be
19 required to review the wilderness option prior to the
20 revisions of the plan, but shall review the wilderness
21 option when the plans are revised, which revision will
22 ordinarily occur on a ten-year cycle, or at least every
23 fifteen years, unless, prior to such time the Secretary
24 finds that conditions in a unit have significantly
25 changed;

1 (3) areas in the State of Alabama reviewed in
2 such final environmental statement or referenced in
3 subsection (d) and not designated wilderness upon en-
4 actment of this Act shall be managed for multiple use
5 in accordance with land management plans pursuant to
6 section 6 of the Forest and Rangeland Renewable
7 Planning Act of 1974, as amended by the National
8 Forest Management Act of 1976: *Provided*, That such
9 areas need not be managed for the purpose of protect-
10 ing their suitability for wilderness designation prior to
11 or during revision of the initial land management plans;

12 (4) in the event that revised land management
13 plans in the State of Alabama are implemented pursu-
14 ant to section 6 of the Forest and Rangeland Renew-
15 able Resources Act of 1974, as amended by the Na-
16 tional Forest Management Act of 1976, and other ap-
17 plicable law, areas not recommended for wilderness
18 designation, need not be managed for the purpose of
19 protecting their suitability for wilderness designation
20 prior to or during revision of such plans and areas rec-
21 ommended for wilderness designation shall be managed
22 for the purpose of protecting their suitability for wilder-
23 ness designation as may be required by the Forest and
24 Rangeland Renewable Resources Planning Act of

1 1974, as amended by the National Forest Management
2 Act of 1976, and other applicable law; and

3 (5) unless expressly authorized by Congress, the
4 Department of Agriculture shall not conduct any fur-
5 ther statewide roadless area review and evaluation of
6 National Forest System lands in the State of Alabama
7 for the purpose of determining their suitability for
8 inclusion in the National Wilderness Preservation
9 System.

10 (c) As used in this section, and as provided in section 6
11 of the Forest and Rangeland Renewable Resources Planning
12 Act of 1974, as amended by the National Forest Manage-
13 ment Act of 1976, the term "revision" shall not include an
14 "amendment" to a plan.

15 (d) The provision of this section shall also apply to Na-
16 tional Forest System roadless lands in the State of Alabama
17 which are less than five thousand acres in size.

18 SEC. 203. (a) As soon as practicable after enactment of
19 this Act, the map and legal description of the Sipsey Wilder-
20 ness Addition shall be filed with the Committees on Agricul-
21 ture and Interior and Insular Affairs of the House of Repre-
22 sentatives and the Committees on Energy and Natural Re-
23 sources and Agriculture, Nutrition, and Forestry of the
24 Senate, and such map and legal description shall have the
25 same force and effect as if included in this Act: *Provided,*

- 1 *however*, That corrections of clerical and typographical errors
- 2 in such legal description and map may be made.

○